NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M1301

APPLICATIONS FOR ENROLLMENT OF THE

COMMISSION TO THE FIVE CIVILIZED TRIBES

1898.- 1914.

Roll 14

Choctaw by Blood 2657-2805

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1983.

2657 James T. Leard Doc

see petition #C-11 Granted Jan 10, 1902

march 1, 1909 Dept requests report as to persons in class with James T. Leard

may 6, 1907 Report to Dept

June 2, 1909 Dept holds case is not analogous to Goldsby case and declines to take action looking to enrollment of applicants

June 16, 1909 Parties notified

2657

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as an intermarried citizen of the Choctaw Nation of

JAMES T. LEARD C-11
7-2657

Commission to the Five Civilized Tribes,

Red Oak, Indian Territory.

In enrollment of James T. Leard as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

James T. Leard, forty-eight years old.

Q You are the identical person who was admitted by the United States Court at South McAlester on the 13th day of July, 1897 case number 95 as James T. Leard, as an intermarried citizen of the Choctaw Nation? A Yes sir.

Q Where have you been residing, in the Choctaw Nation?

A Yes sir.

Q How long? A Since 1874.

Q Continuously? A Yes sir.

Q Haven't resided anywhere else, A No sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

(COPY)

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, INDIAN TERRITORY.

In the matter of the application for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.) PETITION.

Your petitioner, James T. Leard, of Milton, Indian Territory, respectfully requests the Commissioner to the Five Civilized Tribes to place his name upon the final roll of citizens by intermarriage of the Choctaw Nation, under the opinion of the Assistant Attorney General for the Department of the Interior, rendered December 8, 1905, in the Choctaw enrollment case of Loula West, et al., in support of this petition the following is submitted as a true and correct statement of facts:

Your petitioner was lawfully married in accordance with the then existing customs and usages of the Choctaw Nation, on June 10, 1874, to Cora Leard (nee McCarty) a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears opposite number 7704 upon the final roll of citizens by blood of said nation, approved by the Honorable Secretary of the Interior on January 17, 1903. The marriage ceremony uniting said parties in marriage, as above stated, was performed by Singleton Smith, a minister of the Gospel, at his home in Skullyville County Choctaw Nation, and from the date of said marriage, on June 10, 1874, up to and including September 25, 1902 your petitioner and the said Cora Leard have lived together continuously in said nation as husband and wife. Your petitioner has, from the date of said marriage, been recognized in every way by the tribal authorities of the Choctaw Nation as a citizen by intermarriage of said nation and has possessed and exercised all the rights of such citizen. The name of your petitioner will be found, it is believed, upon the 1885 census roll of the Choctaw Nation for Skullyville County, and also upon the 1896

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as an intermarried citizen of the Choctaw Nation of

JAMES T. LEARD C-11
7-2657

Commission to the Five Civilized Tribes,

Red Oak, Indian Territory.

In enrollment of James T. Leard as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

James T. Leard, forty-eight years old.

Q You are the identical person who was admitted by the United States Court at South McAlester on the 13th day of July, 1897 case number 95 as James T. Leard, as an intermarried citizen of the Choctaw Nation? A Yes sir.

Q Where have you been residing, in the Choctaw Nation?

A Yes sir.

Q How long? A Since 1874.

Q Continuously? A Yes sir.

Q Haven't resided anywhere else, A No sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

(COPY)

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, INDIAN TERRITORY.

In the matter of the application) for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.) PETITION.

Your petitioner, James T. Leard, of Milton, Indian Territory, respectfully requests the Commissioner to the Five Civilized Tribes to place his name upon the final roll of citizens by intermarriage of the Choctaw Nation, under the opinion of the Assistant Attorney General for the Department of the Interior, rendered December 8, 1905, in the Choctaw enrollment case of Loula West, et al., in support of this petition the following is submitted as a true and correct statement of facts:

Your petitioner was lawfully married in accordance with the then existing customs and usages of the Choctaw Nation, on June 10, 1874, to Cora Leard (nee McCarty) a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears opposite number 7704 upon the final roll of citizens by blood of said nation, approved by the Honorable Secretary of the Interior on January 17, 1903. The marriage ceremony uniting said parties in marriage, as above stated, was performed by Singleton Smith, a minister of the Gospel, at his home in Skullyville County Choctaw Nation, and from the date of said marriage, on June 10, 1874, up to and including September 25, 1902 your petitioner and the said Cora Leard have lived together continuously in said nation as husband and wife. Your petitioner has, from the date of said marriage, been recognized in every way by the tribal authorities of the Choctaw Nation as a citizen by intermarriage of said nation and has possessed and exercised all the rights of such citizen. The name of your petitioner will be found, it is believed, upon the 1885 census roll of the Choctaw Nation for Skullyville County, and also upon the 1896

Choctaw census roll, Skullyville County, number 14743 (as Jas. T. Leard), enrolled on said rolls as a citizen by intermarriage of said nation. Your petitioner has been election judge and road overseer in the Choctaw nation and has sat as a juror in the Choctaw Tribal courts.

The attention of the Commissioner is respectfully called to the decisions of the Commission to the Five Civilized Tribes in the Choctaw enrollment cases of Perry Russell, number 225, and Thomas J. West, number 27, which cases are analogous to the case of your petitioner. Perry Russell was lawfully married on July 20, 1874 to Margaret W. Russell (nee Wright), a recognized and enrolled citizen by blood of the Choctaw Nation and claiming through such marriage the Commission to the Five Civilized Tribes held that the said Perry Russell should be enrolled as a citizen by intermarriage of the Choctaw Nation and he has been so enrolled. The case of Thomas J. West is a similar one and there are numerous instances where said Commission enrolled applicants occupying an analogous status to that of your petitioner.

Under the Act of June 10, 1896 your petitioner applied to the Commission to the Five Civilized Tribes for admission to citizenship as a citizen by intermarriage of the Choctaw Nation, which application was subsequently denied by said Commission. An appeal was taken from said decision of the Commission to the United States Court for the Central District of Indian Territory and said court reversed said decision of the Commission and admitted your petitioner to citizenship in the Choctaw Nation as a citizen by intermarriage thereof. By the Act of Congress approved July 1, 1902 (32 Stat., 641) the Choctaw and Chickasaw Citizenship Court was created and said Court, on December 17, 1902, "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said cause was subsequently appealed and certified to said Choctaw and

Chickasaw Citizenship Court for a trial de novo and said court thereafter rendered a decision denying your petitioner admission to citizenship in the Choctaw Nation as a citizen by intermarriage thereof.

Your petitioner respectfully states that he has at all times, since his marriage with his said Choctaw Indian wife in 1874, been recognized by the tribal authorities of the Choctaw Nation as a citizen of said nation; that his name has been borne upon the tribal rolls of said nation, as above set forth, and that under the law, as interpreted by the Assistant Attorney General for the Department of the Interior in his opinion in the Choctaw enrollment case of Loula West, et al., rendered on December 8, 1905, above referred to, the Commission to the Five Civilized Tribes had no jurisdiction under the Act of June 10, 1896 (29 Stats., 321) to deny your petitioner citizenship in the Choctaw Nation. "The United States Court, under the Act of 1896, supra, had in citizenship cases no other jurisdiction than an appellate one and from the very nature of such jurisdiction obtained no jurisdiction by an attempted appeal of a matter wherein the original tribunal had no jurisdiction . . . " It follows that the attempted appeal of the United States Court in the case here under consideration vested no jurisdiction in said court and its judgment being essentially and necessarily a nullity, "the citizenship court itself obtained no jurisdiction in the case by going through the form of annulling a judgment that for total want of original jurisdiction had never any validity or operation".

WHEREFORE, your petitioner respectfully prays that he be granted an opportunity to introduce before the Commissioner to the Five Civilized Tribes testimony and written evidence tending to establish the truth of the allegations and statements herein made; that a day be set when such testimony and evidence, relative to the right of your petitioner to enrollment as a citizen by intermarriage of the Choctaw Nation, may be taken; and that if such a hearing

is hat the record made up shall sustain and establish the truth of these allegations the Commissioner to the Five Civilized Tribes enroll your petitioner as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stats., 641).

(Signed) James T. Leard,
Petitioner.

- - -

Indian Territory,)
) ss.
Central District.)

James T. Leard, being first duly sworn, on oath states that he has read the foregoing petition, by him subscribed, knows the contents thereof and that the same is true in substance and in fact.

(Signed) James T. Leard.

Subscribed and sworn to before me this 13 day of January, 1906.

My Commission expires
Mar. 11, 1909.
Seal. Milton, I.T.

(Signed) J. T. Lewis,
Notary Public.

Apple & Franklin,
Muskogee, Indian Territory,
Attorneys for applicant.

- - -

United States of America)
Indian Territory,) ss.
Western District.)

I, Wirt Franklin, one of the attorneys for applicant on oath state that the above and foregoing petition is a full, true and correct copy of a petition forwarded to Mansfield, McMurray & Cornish on the 15th day of January, 1906, by registered mail, as shown by the receipt of post master therefor which is hereto attached the same being number 287

(Signed) Wirt Franklin.

Subscribed and sworn to before me this 15th day of January, 1906.

W. C. Bailey,
Notary Public.
Seal.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, February 26, 1906.

In the matter of the application for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 16, 1906, by Apple & Franklin, attorneys for the petitioner, the petition praying for the enrollment of James T. Leard as a citizen of the Choctaw Nation, by reason of his marriage to Cora McCarty, whose name appears upon the final roll of citizens of the Choctaw Nation, approved by the Secretary of the Interior, opposite No. 7704.

On February 6, 1906, the petitioner, James T Leard, Milton, Indian Territory, Apple & Franklin, attorneys for the petitioner, Muskogee, Indian Territory, and Messrs. Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were advised that the Commissioner to the Five Civilized Tribes would at his office at Muskogee, Indian Territory, on Monday, February 26 1906, at ten o'clock A.M. hear such testimony and receive such other evidence as might be submitted in support of the petition for the enrollment of James T. Leard as an intermarried citizen of the Choctaw Nation.

Now on this 26th day of February, 1906, ten o'clock A.M., the case being called for hearing, in conformity with the notices to the petitioner and attorneys for the Choctaw and Chickasaw Nations, the following appearances were entered and proceedings had.

APPEARANCES:

The petitioner, James T. Leard,
Wirt Franklin, of Apple & Franklin, Muskogee, Indian Territory, appearing as attorney for the petitioner,
G. Rosenwinkel, of Mansfield, McMurray & Cornish, appearing on behalf of the Choctaw and Chickasaw Nations.

By Mr. Rosenwinkel:

The Choctaw and Chickasaw Nations object to any proceedings in this case, for the reason that the right of the applicant as a citizen by intermarriage of the Choctaw Nation has been fully determined by the Choctaw and Chickasaw Citizenship Court, and the decree of the Citizenship Court being final, there is no power being vested in the Secretary of the Interior or any other tribunal to review this decree of the Citizenship Court.

JAMES T. LEARD, being duly sworn, testified as follows:

By the Commissioner:

Q What is your name? A James T. Leard.
Q What is your post-office address? A Milton, Indian Territory.
Q In what nation is that? A Choctaw Nation.
Q How old are you? A I am 53 years of age.
Q Are you a married man? A Yes sir.
Q What is the name of your wife? A Cora.
Q When were you married to her? A June 10, 1874.
Q Is your wife living? A Yes sir.
Q She is living with you, is she? A Yes sir.
Q Do you claim any Indian blood? A No sir.
Q The only right which you claim is by reason of your marriage to Cora McCarty? A Yes sir.
Q Is Cora McCarty a citizen of the Choctaw Nation? A Yes sir.

The name of Cora Leard appears on the final roll of citizens of the Choctaw Nation, approved by the Secretary of the Interior, opposite No. 7704.

Q When did you make application for enrollment as a citizen by intermarriage of the Choctaw Nation? A Why, at first, I made application when everybody, every white man that had married an Indian, made application to the Dawes Commission.
Q What time was that? A I dont remember the exact time, when they first came to this country, when they opened up the office, I believe in this town.
Q What did the Commission do with your application? A Why they turned it down.
Q What further steps did you take? A I went before Judge Clayton, and they reversed the decision.

Q What steps were then taken? A Why after the Citizenship Court came up, why my case like the balance was out, then I went before this citizenship court.

Application was filed with the Commission to the Five Civilized Tribes on September 8, 1896, praying for the enrollment of James T. Leard as an intermarried citizen of the Choctaw Nation, said James T. Leard claiming his rights as an intermarried citizen by his marriage with Cora McCarty, a citizen of the Choctaw Nation by blood.

December 8, 1896, the Commission denied this application, from which decision appeal was taken to the United States Court for the Central District of Indian Territory, which Court on July 13, 1897, reversed the decision of the Commission.

On December 17, 1902 it was decreed by the Choctaw and Chickasaw Citizenship Court that the above judgment of the United States Court be set aside, annulled and held for naught.

On March 30, 1904, the Choctaw and Chickasaw Citizenship Court rendered a decree in the case of James T. Leard vs. the Choctaw and Chickasaw Nations, in which it was ordered, adjudged and decreed that the petition of the plaintiff be denied, and that he be not deemed a citizen by intermarriage of the Choctaw Nation.

By Mr. Franklin:

Q Mr. Leard, what is your father's name? A John R. Leard.
Q What is your mother's name? A Precilla T. Leard.
Q Are they living? A No sir, both dead.
Q You testified a few minutes ago that you were married to Cora McCarty June 10, 1874? A Yes sir.
Q Were you ever married prior to that marriage? A No sir.
Q Was your wife, Cora, ever married prior to that time? A No sir.
Q McCarty was her maiden name? A Yes sir.
Q Where was Cora McCarty living at the time of this marriage and prior thereto, that is, with respect to what nation? A Choctaw Nation, Skullyville County.
Q Where was your residence prior to this marriage? A I was frequently in the Choctaw Nation.
Q For how long had you been a resident of the Choctaw Nation prior to your marriage on June 10, 1874? A We came to the Choctaw Nation, Indian Territory, in 1868, fall of 1868, and my father lived in the Territory for, I believe three years, and about that time he bought a place in the state of Arkansas, and I was ocassionally at his home; was principally in the Choctaw Nation.
Q And you did not go to Arkansas with your father to live when he bought this place, but remained in the Choctaw Nation as your home? A Yes sir.
Q Have you and Cora Leard lived together continously as husband and wife since this marriage on June 10, 1874? A Yes sir.

Q Where have you lived during this time? A We lived in the Choctaw Nation, Skullyville County.
Q Mr. Leard, have you ever had any recognition by the tribal authorities of the Choctaw Nation? A Yes sir.
Q In what way? A Why I have been allowed to vote, I have been commissioned road-overseer, I served in the Choctaw militia and I have been election judge.

By Mr. Rosenwinkel:

We move that all of the answers to the last preceding questions be stricken from the record, for the reason that it is incompetent, our contention being that passing over the other legal questions in the case, that the only two issues in the case are, whether the woman through whom he claims was in fact a citizen of the Choctaw Nation, and whether his marriage to her was in accordance with the Choctaw laws. All other testimony is irrelevant and incompetent.

By Mr. Franklin:

Q Mr. Leard, does your name appear on any of the tribal rolls of the Choctaw Nation? A Yes sir.
Q Roll of 1885 Choctaw Census roll? A Yes sir.
Q What roll? A Skullyville County.
Q 1896 roll? A Yes sir.
Q What county? A Skullyville County.
Q Was your citizenship ever disputed in any way until your denial in 1896?

By Mr. Rosenwinkel:

We move to exclude all testimony tending to prove that the name of this man appears on any tribal roll, for the reason that the Department and the Commission have uniformly held that the name of the intermarried person on the tribal roll is not conclusive as to this right.

Submit that it is not conclusive then it is evident his recognition as a citizen and recognition as a citizen prior to 1896 and the appearance of this man's name on the tribal rolls have no bearing on this case, and itwas out of the jurisdiction of the Commission to order and determine his case in 1896.

By Mr. Franklin:

Q Mr. Leard, at the time of your marriage on June 10, 1874, was theire any provision in the Choctaw law for the issuance of licenses, in other words, was it the custom at that time for a white man to procure a license from the Choctaw Tribal authorities to marry a Choctaw woman?

By Mr. Rosenwinkel:

We object to that. Choctaw laws are the best evidence; dont think it is competent for this witness to testify what the Choctaw laws were at the time of this marriage.

By Mr. Franklin:

Think the testimony of this witness, who lived in the Choctaw Nation, is good and sufficient evidence as to what were the customs and usages in regard to marriages.

Further, stating right here, I would like to show that the Commission to the Five Civilized Tribes has held uniformly that prior to November 9, 1875, any lawful marriage of a white man to a Choctaw citizen, both persons being residents of the Choctaw Nation, conferred citizenship upon the white man; referring to specific cases, call attention to the cases of Perry Russell, Choctaw case No. 225 and Thomas J. West, Choctaw case No. 27.

(Stenographer is requested to read the last preceding question, as follows:

Q Mr. Leard, at the time of your marriage on June 10, 1874, was there any provision in the Choctaw law for the issuance of the licenses, in other words, was it the custom at that time for a white man to procure a license from the Choctaw Tribal authorities to marry Choctaw woman?

By the Commissioner:

The Commission will hold that that is not a competent question. The best evidence would be the laws of the nation.

By Mr. Franklin:

Q Mr. Leard, was it the custom and usage prior to November 9, 1875, so far as your personal knowledge goes, for white men marrying Choctaw women by blood to procure licenses from the tribal authorities of the Choctaw Nation in order to have conferred upon them the rights of citizenship by marriage?

By Mr. Rosenwinkel:

Object to that for the same reason, the presumption is that the people complied with the laws of the nation.

By the Commissioner:

Objection is sustained.

By Mr. Franklin:

The witness not being permitted to answer the above question I call attention of the Commissioner to its rulings in matters of this kind, and to the further fact that I believe the Commission to the Five Civilized Tribes has found upon investigation, and its rulings bear out this statement that under the Choctaw Law, which I think was passed in 1840, providing for a license, there was no officer of the Choctaw Nation authorized to issue said license, and the requiring of this applicant to obtain a tribal license to marry his wife imposed upon him an obligation impossible of performance. This applicant is married to Cora McCarty under a lawful marriage and under the treaty of 1866. That was all that was required between the year of 1866 and 1875.

By Mr. Rosenwinkel:

In response to that we want to say that the law of 1840, among other things, states that he, meaning the intermarried person, be required to procure license from some judge or district clerk and be lawfully married by some minister of the Gospel, or any other authorized person.

By Mr. Franklin:

Q Mr. Leard have you considered the Choctaw Nation as your home, your place of residence from the year 1868 up until the present time? A Yes sir.

By Mr. Rosenwinkel:

Q You said, Mr. Leard, that you resided in the Choctaw Nation at the time of your marriage? A Yes sir. I was in Arkansas at my father's home frequently. I stated before that I was in Arkansas.

By Mr. Franklin:

I object to the attorneys for the nations using the record, and having the record before him, used inthe Choctaw and Chickasaw

Citizenship Court. I believe under its order and the rules of the Commission attorneys for the applicants are not allowed to see those records, and that this hearing is to be taken without any reference to any action heretofore taken by the Commission to the Five Civilized Tribes, the United States Court and the Choctaw and Chickasaw Citizenship Court. The attorneys for the nations have apparently been furnished with the records before the Citizenship Court.

By Mr. Rosenwinkel:

We are not introducing this record in evidence.

By Mr. Rosenwinkel to the witness:

Q When you appeared before the Choctaw and Chickasaw Citizenship Court on the 22nd of May, 1903, you were asked this question:

"Q Did you afterwards reside in the Choctaw Nation up to the time of your marriage?"

You answered:

"I think there was two years just before I married that I resided in Arkansas; just over the line."

A Yes sir.
Q Why did you say just now that you were living in the Choctaw Nation? A I was in school and lived at home previous to that time.
Q Where did you actually reside, in Arkansas or the Choctaw Nation, for two years immediately preceding this marriage? A In Arkansas, went to school,
Q You did not procure a tribal license? A No sir.

By Mr. Franklin:

Q Mr. Leard, you stated a while ago that your residence was in the Choctaw Nation? A Yes sir, I had some property in the Choctaw Nation, and I was only in Arkansas in my school time.
Q Your lawful residence was in the Choctaw Nation? A Yes sir.
Q As I understand you, you were only in Arkansas for the purpose of completing your education for this two years immediately preceding your marriage? A Yes sir.

By Mr. Rosenwinkel:

Q What kind of property did you have in the Choctaw Nation? A Some stock.
Q How did you hold that stock? A Why I just held it there.
Q As an intruder? A Possibly so.

Q You had no lawful rights? A My father lived in the Choctaw Nation for three years and we acquired this property at that time; they were there on the range, I lived at the same place.
Q Were you a minor at that time? A Yes sir, I was.
Q You were a minor? A Yes sir.
Q Your father's residence was in the state of Arkansas? A Yes sir
Q He had no rights in the Choctaw Nation? A No sir.
Q You had none? A No sir.
Q Why do you say that your lawful residence was in the Choctaw Nation? A Because I made my home there.
Q Thought you just said you lived with your father in Arkansas? A No sir, I didnt say that, I said I was over there two years when I was at school, about two years; I was at my father's and it was only a short distance.
Q You didnt know at that time that no white man had lawful residence in the Choctaw Nation only as he acquired right in some manner? A I lived in the Territory and called it home.

By Mr. Franklin:

Q How far from the line was your father's place? A I suppose his land run down against the line, suppose the house was 150 yards or 100 yards from the line.
Q You often visited your parents, of course? A Yes sir.
Q I believe you stated, in answer to a question of Mr. Rosenwinkel, that your father had emancipated you and you were at that time free to go where you wished, although not 21 years of age? A Yes sir.

By the Commissioner:

Q Were you married to Cora McCarty under a license? A No sir.
Q Had no license whatever? A No sir.

By Mr. Franklin:

I desire to offer in evidence the certificate of Rev. Singleton Smith, as to the marriage on June 10, 1874 of James T. Leard to Cora McCarty, and also the affidavits of L.C. Smith and Judy J. Smith, eye witnesses to said marriage, which evidence shows that said marriage was performed in Skullyville County, Choctaw Nation.

By Mr. Rosenwinkel:

Q Were you married in the Choctaw Nation? A Yes sir.

By the Commissioner:

(Examines certificates relating to marriage of the petitioner).

Q These affiants are living? A Yes, sir. That is the wife and son of the minister (Judy J. Smith and L.C. Smith); married at the home of the minister.

By Mr. Rosenwinkel:

We object to the certificate, for the reason that it is merely a certificate of the man that married them.

By the Commissioner:

Certificate will be made a part of the record. Affidavits of Judy J. Smith and L.C. Smith will not be made a part of the record.

Witness Excused.

Cora Moore, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause on the 26th day of February, 1906, and that the above and foregoing is a full and complete transcript of her stenographic notes taken in said cause on said date.

Cora Moore

Subscribed and sworn to before me this 27th day of February, 1906.

Myron Hinkle

Notary Public.

W. R. BOOTH
JUSTICE OF THE PEACE.

Issuing and Writing Legal Documents
Solmnizing Marriage Rites a Specialty.

(COPY)

State of Arkansas
County of Sebastian.

Bonanza, Arkansas, January 24th, 1906.

This certifies that on June 10th, 1874 in Skullyville County, Choctaw Nation, I performed the marriage cerimony uniting James T. Leard and Cora McCarty as man and wife, according to the usages and rules of the M. E. Church South.

Rev. Singleton Smith.

Subscribed and sworn to before me this 24th day of January, 1906.

W. N. Booth, Notary Public.

My Com Exps Nov 24th, 1908.

(S E A L)

(Endorsed on back)

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

F I L E D

FEB 26, 1906.

Tams Bixby, Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

C-11
7-2657.

In the matter of the application for the enrollment of JAMES T. LEARD as an intermarried citizen of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes by James T. Leard at Redoak, Indian Territory, in June, 1899, for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 8, 1896 for the admission of James T. Leard as a citizen by intermarriage of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) (1896 Choctaw Citizenship case No. 1223); that said application was denied by the Commission on December 8, 1896.

From this decision an appeal was taken to the United States Court for the Central District of Indian Territory, which Court on July 13, 1897, rendered a judgment reversing the decision of the Commission and admitting the said James T. Leard as a citizen by intermarriage of the Choctaw Nation.

This judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo and on March 30, 1904, in the case entitled "James T. Leard vs. Choctaw and Chickasaw Nations (Choctaw-Chickasaw Citizenship Court case No. 16, South McAlester docket), said Court rendered a judgment therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiff, James T. Leard, be denied and that he be not deemed a citizen by intermarriage of the Choctaw Nation and that he is not entitled to enrollment as such or to any right whatever flowing therefrom".

The record herein further shows that under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 16, 1906, by Apple & Franklin, attorneys for the petitioners, a petition praying for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation. Said petitioner is identical with the person for whose enrollment as a citizen by intermarriage of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes in June, 1899.

The record herein shows that the applicant, James T. Leard was lawfully married on June 10, 1874, to Cora McCarty, whose name appears as Cora Leard on the approved roll of citizens by blood of

the Choctaw Nation opposite No. 7704 and that they have continuously resided together in the Choctaw Nation as husband and wife from the date of said marriage to the present time.

The name of James T. Leard appears upon the 1896 Choctaw Census roll opposite No. 14743 as a citizen by intermarriage.

The Assistant Attorney General for the Department of the Interior in an approved opinion of April 24, 1906, in the case of Mary Elizabeth Martin (I.T.D. 4048-1906) stated:

"The foregoing provision (Par. 3, Sec. 21) in the Act of June 28, 1898, was pursuant to Article XXXVIII of the Treaty of 1866 supra, and made proof of marriage to a recognized and enrolled Choctaw or Chickasaw citizen in conformity with Indian law sufficient proof of the right of the intermarried citizen. The intermarried citizen is regarded as enrolled at the date of and by virtue of the intermarriage".

I am, therefore, of the opinion that by reason of his marriage to Cora McCarty on June 10, 1874, said James T. Leard became a member of the Choctaw tribe and that he occupied such a status in 1896 as entitled him to enrollment in the Choctaw Nation; that following the ruling of the Department of December 8, 1905 (I.T.D. 6380-16856-1905) in the case of Loula West, et al, the action of the Commission in 1896 denying the application of James T. Leard and the subsequent action of the United States Court and the Choctaw and Chickasaw Citizenship Court was without jurisdiction and of no effect; that the said James T. Leard should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

JAN 10 1907

C-11
7-2657

Muskogee, Indian Territory, January 10, 1907.

James T. Leard,

Milton, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 10, 1907, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nation, have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed, the name of James T. Leard will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED [illegible]

Commissioner.

Registered.
C-11
7-2657.

C-11
7-2657

Muskogee, Indian Territory, January 10, 1907.

S. A. Apple,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on January 10, 1907, rendered his decision granting the application for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against his enrollment. If at the expiration of that time no protest has been filed, the name of James T. Leard will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Commissioner.

Registered.
C-11
7-2657.

C-11
7-2657

COPY.

Muskogee, Indian Territory, January 10, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 10, 1907, granting the application for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against his enrollment. If at the expiration of that time no protest has been filed, the name of James T. Leard will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl. 7-2657.

Muskogee, Indian Territory, January 30,1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record of proceedings in the matter of the application of James T. Leard for enrollment as a citizen by intermarriage of the Choctaw Nation, together with my decision of January 10, 1907, granting said application.

James T. Leard was denied as an intermarried citizen of the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court, March 30, 1904, in case number 16 on the South McAlester docket.

A petition was filed January 16, 1906, under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, praying for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation, and following the ruling of the Department of December 8, 1905 (I T D 6380,16858-1905), in the case of Loula West, et al., a decision was rendered enrolling this applicant.

January 15, 1907 (I T D 25868-1906;818-1907) this office was directed by the Department to suspend action relative to claimants in the case of Mattie Shockley, et al. (Loula West

case, until further advised, as the case has been submitted to the Attorney General for his opinion.

There is accordingly transmitted herewith a schedule of citizens by intermarriage of the Choctaw Nation No. 1626 containing the name of James T. Leard. This schedule is forwarded subject to the action of the Attorney General and Department in the case of Mattie Shockley et al, and in the event the opinion of the Assistant Attorney General in the case of Mattie Shockley et al., is affirmed and my decision of January 10, 1907 in the case of James T. Leard is affirmed, I have the honor to request Departmental approval of the schedule transmitted herewith.

In accordance with the provisions of the Act of Congress approved July 1, 1902(32 Stat.,641), the person enumerated in this schedule has been enrolled as a citizen by intermarriage of the Choctaw Nation.

The tribal roll from which the person named in the schedule is identified, and such other data as will proplerly identify him here follows in the same order as in schedule:

No.	Name	Roll	County	Remarks.
1626	Leard, James T.	1896	Skullyville	Husband of Cora Leard, Choctaw roll number 7704.

Respectfully submitted,

(Signed) Tams Bixby,

Commissioner.

Through the Commissioner
of Indian Affairs,

6 inclosures.

Muskogee, Indian Territory, February 18,1907

The Commissioner
of Indian Affairs.

Sir:

Receipt is hereby acknowledged of Indian Office te egram of February 16, 1907, as follows:

"In your report of Jany. thirtieth transmitting schedule you say record relative to applicat ion of James T. Leard forwarded it has not been received."

and on February 18, 1907, the following te legram was forwarded:

"Replying telegram sixteenth instant, record in case of James T. Leard was overlooked in mailing schedule. Same is forwarded today."

January 30, 1907, this office addressed a letter to the Secretary of the Interior transmitting a schedule of Choctaws by marriage containing the name of James T. Leard, and the record and decision enrolling the said James T. Leard, but the record was inadvertently omitted from said letter.

The record in the case is herewith transmitted for consideration in connection with this case.

Respectfully,

(Signed) Tams Bixby,

Commissioner.

7-2657.

FORM 2 T. P.

TELEGRAM

POSTAL TELEGRAPH-CABLE COMPANY OF TEXAS.

This Company transmits and delivers messages subject to the terms and conditions printed on the back of this blank.

S. M. ENGLISH, General Manager.

COUNTER NUMBER.	TIME FILED.	CHECK.
	M	

Government Paid.

Send the following message, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Muskogee, Indian Territory, February 18, 1907

To

Commissioner of Indian Affairs,
Washington, D. C.,

Replying telegram this date record in case of James T. Beard was overlooked in mailing schedule. Same is forwarded to day.

OBOR

Bixb,
Commissioner.

THE POSTAL TELEGRAPH SYSTEM REACHES ALL IMPORTANT POINTS IN THE UNITED STATES AND BRITISH AMERICA, AND via COMMERCIAL CABLES, ALL THE WORLD.

POSTAL TELEGRAPH-CABLE COMPANY

OF TEXAS.

This Company transmits and delivers the within Message subject to the following

TERMS AND CONDITIONS.

To guard against mistakes or delays, the sender of a message should order it REPEATED; that is, telegraphed back to the originating office for comparison. For this, one-half the regular rate is charged in addition. It is agreed between the sender of the message written on the face hereof and the Postal Telegraph-Cable Company of Texas, that said Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any UNREPEATED message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any REPEATED message beyond fifty times the sum received for sending the same, unless specially insured, nor in any case for delays arising from unavoidable interruption in the working of its lines, or for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company when necessary to reach its destination.

Correctness in the transmission of messages to any point on the lines of the Company can be INSURED by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz.: one per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

No responsibility regarding messages attaches to this Company until the same are presented and accepted at one of its transmitting offices; and if a message is sent to such office by one of this Company's messengers, he acts for that purpose as the agent of the sender.

Messages will be delivered free within the established free delivery limits of the terminal office. For delivery at a greater distance a special charge will be made to cover the cost of such delivery.

This Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within ninety-one days after the message is filed with the Company for transmission.

No employee of this Company is authorized to vary the foregoing.

S. M. ENGLISH, General Manager.

D. C. 14886-1907. SPECIAL JFJr. S.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 2, 1907.

I. T. D. 6208-1907.

L. R. S.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On February 28, 1907 (Land 18371-07), the Indian Office transmitted your report, dated January 30, 1907, forwarding the record of proceedings in the matter of the application of James T. Leard for enrolment as a citizen by intermarriage of the Choctaw Nation, together with your decision of January 10, 1906, granting said application. The Indian Office also transmitted a schedule of citizens by intermarriage of the Choctaw Nation containing the name of James T. Leard, which you recommend, in view of your decision of January 10, 1907, be approved.

The Indian Office does not consider this applicant entitled to enrolment and recommends the disapproval of the schedule transmitted. A copy of its letter is inclosed.

In view of the opinion of the Attorney General, dated February 19, 1907, in the Loula West and analogous cases, you decision of January 10, 1907, is hereby reversed.

The schedule transmitted is disapproved.

The papers in the case, together with a copy hereof and the original schedule, have been sent to the Indian Office, and three copies of said schedule are inclosed for appropriate disposition.

One copy of the schedule is retained in this office.

Respectfully,

E. A. Hitchcock,

Secretary.

4 inc. and
3 to Ind. Of.

AFMc
3-4-07.

Land.
13758-1907
17208-1907
18371-1907.

Copy.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated January 30, 1907, transmitting a schedule containing the name only of James T. Leard, who, Mr. Bixby found by decision of January 10, 1907, was entitled to enrollment as an intermarried citizen of the Choctaw Nation.

It did not appear from the records of the Office that the record relative to this application had been received and under date of February 16 the Office wired the Commissioner concerning the matter, to which he replied on the 18th saying that the record had been forwarded on that date. The report of the Commissioner dated February 18, transmitting the record, is also enclosed.

The record in the case shows that the applicant comes within the purview of the decision in the Loula West case and under the opinion of the Attorney General of February 19, 1907, he is not entitled to enrollment and the disapproval of the schedule is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-GH.

7-2657

Muskogee, Indian Territory, April 9, 1907.

James T. Leard,

Milton, Indian Territory.

Dear Sir:

You are hereby advised that on March 2, 1907, the Secretary of the Interior reversed the decision of the Commissioner to the Five Civilized Tribes of January 10, 1907, granting your application for enrollment as a citizen by blood of the Choctaw Nation, and disapproved the schedule of citizens by intermarriage upon which your name is placed.

Respectfully,

Acting Commissioner.

D.O.M.
O.E.W.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.T.H.
J.K.H.
W.C.P.
P.W.K.

Address only
The Secretary of the Interior.

March 1, 1909.

File 5-61

3 6:76

The Commissioner

to the Five Civilized Tribes.

Sir:

January 26, 1909, you were advised that the names of certain persons were inadvertently included in Departmental letter of January 14, 1909 (File 5-61); that such mistake was due to the fact that it was supposed they were enrolled upon schedules approved by the Department, when in fact, the only schedules upon which their names appear were disapproved, and that no action should be taken under the circumstances looking to the erasure of interlineations or notations, if any, from the disapproved schedules, in connection with their names.

The names of the persons referred to in said letter of January 25, 1909, are as follows:

Cherokee by Blood.

Roll No.	
16103	Elizabeth Allen.
16112	George A. Bumgarner.
16110	Lou itia Crutchfield.
16106	Everett Crutchfield.

16111	George W. Crutchfield.
16 05	Ida Crutchfield.
16107	Ima Crutchfield.
16108	Louvinia Crutchfield.
16109	William Crutchfield.
921	Josephine Lafiere Long.
922	Jake Lafiere Long.
16104	David Ritter.

It now appears from the records of the Secretary's Office that there was a schedule approved May 21, 1904, by the Secretary of the Interior, and that the approval then given was cancelled by said Secretary at a later date, to-wit, June 28, 1904.

The name of Elizabeth Allen appears upon the schedule which was approved May 21, 1904, opposite the number 15551. Ida Crutchfield's name appears opposite No. 15553, while the other members of the Crutchfield family were given the numbers immediately following that assigned to her.

You are requested to cause a report to be prepared showing whether the records of your office also show that an earlier schedule containing the names of said persons was approved May 21, 1904; also whether such approval was cancelled June 28, 1904. Please report also the reason for the attempted cancellation, and whether prior notice was given thereof.

It appears further that, in connection with the names of Elizabeth Allen and the Crutchfield family on the roll approved May 21, 1904, the names of Ardella Nickman, Ida W. Southard and Grover Randall are also to be found.

In connection with said names, it is desired that you will report what action, in your opinion, should be taken concerning the first of said persons; as to whether the said Ida W. Southard and Grover Randall, respectively, are identical with the Ida W. Southard whose name appears opposite No. 15480 in the printed rolls of citizens by blood of the Choctaw Nation, and the GroverRandall whose name appears on page 8 of Departmental letter of January 19, 1907 (File 5-51), opposite No. 15928.

As appears from the above list, there were other persons besides the said Allen and Crutchfields whose names were enrolled on schedules which were finally disapproved by the Department; for example, George A. Baumgarner, Josephine Laflore Long and Jake Laflore Long.

Please report where the names of these persons appear upon any prior approved schedule; also why it was that the Commissioner to the Five Civilized Tribes enrolled them upon the schedule which was disapproved by the Department, showing whether the Commissioner enrolled them thereon, of his own motion, or under decision or instructions from the Department.

By comparison of the roll approved May 21, 1904, with the printed rolls of Choctaws by blood, the Department

finds that the numbers appearing therein opposite the names of said persons were subsequently assigned to other citizens of the Choctaw Nation; thereby the series of roll numbers was kept perfect, but a material portion of the rolls was evidently sacrificed upon the supposition that it had become worthless. Inquiry arises in this connection as to whether there were other approved schedules which were subsequently disapproved and thrown aside. Accordingly, it is desired that you also cause a report to be prepared covering this feature of the matter, showing all persons embraced in similar cases, with recommendation as to what action should be taken as to them. This will necessitate a statement as to why their names were stricken or cancelled from the rolls, and whether such action was taken without prior notice.

There is still another matter concerning which the Department desires report to be made. It is observed that the words "No person enrolled at this number" are to be found not infrequently opposite consecutive numbers on the pages of the printed rolls; and you are requested to advise the Department whether such words were substituted for the names of individuals appearing on disapproved schedules, and if such is the case, whether such disapproved schedules were approved at any time by the Department; also whether favorable decisions were ever rendered by the Department as to such persons prior to their enrollment upon such disapproved schedules.

For the sake of expedition, a partial report should be rendered at once concerning the said Elizabeth Allen and the various members of the Crutchfield family named above. The other matters referred to herein can be disposed of by subsequent reports.

Very respectfully,

Jesse E. Wilson

Assistant Secretary.

Through the

Indian Office.

Land
6 8228-08
17077-09

JRB

KAH

Department of the Interior,
Office of Indian Affairs,

Washington, D. C. Mch. 5 09

Respectfully referred to the Commissioner to the Five Civilized Tribes, for appropriate action.

John Francis Jr.

Acting Chief Land Division.

1 Letter

dated

Mch 2 1909.

D 294-1909

Muskogee, Oklahoma, May 6, 1909.

Subject:

Report on Departmental letter of March 1, 1909, in case of James T. Leard.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to refer to Departmental letter of March 1, 1909 (File 5-31) in which, among other things, the Department requests reports as to all persons whose names were placed upon disapproved schedules and opposite whose numbers on the printed rolls appears the notation "No person enrolled at this number".

Reports have heretofore been made to the Department as to certain of these cases and I now have the honor to state that the case of James T. Leard, which is the subject of this report, is the only one of this class which has not been reported, and to report therein as follows:

It appears from the records of this office that James T. Leard, on June 22, 1899, made application to the Commission to the Five Civilized Tribes for enrollment as an intermarried citizen of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495).

It also appears that application was made to the Commission to the Five Civilized Tribes on September 8, 1896, for the admission of James T. Leard as a citizen by intermarriage of the Choctaw Nation under the Act of Congress approved June 10, 1896 (Stat.,321), 1896 Choctaw Citizenship Case Number 1223, and that this application was denied by said Commission on December 8, 1906.

From this decision an appeal was taken to the United States Court for the Central District of Indian Territory, which, on July 13, 1897, rendered a judgment reversing the decision of the Commission and admitting the said James T. Leard as a citizen by intermarriage of the Choctaw Nation.

December 17, 190 , the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (Stat.,641), rendered a decision in the case of The Choctaw and Chickasaw Nations or Tribes versus J. T. Riddle, et al., commonly known as the test case, vacating, setting aside and holding for naught the judgment of the United States Court above referred to.

This cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on March 30, 1904, in the case entitled James T. Leard versus

the Choctaw and Chickasaw Nations, Case Number 16 on the South McAlester Docket, said court rendered a judgment wherein it was ordered, adjudged and decreed that the petition of the plaintiff, James T. Leard, be denied and that he be not deemed a citizen of the Choctaw Nation by intermarriage and not entitled to enrollment as such or to any right whatever flowing therefrom.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 16, 1906, by Applo & Franklin, attorneys for the petitioners, a petition praying for the enrollment of James T. Leard as a citizen by intermarriage of the Choctaw Nation.

The name of James T. Leard is found on the 1896 Census Roll of the Choctaw Nation, Skullyville County, as an intermarried citizen.

January 10, 1907, the Commissioner to the Five Civilized Tribes rendered a decision holding that by reason of his marriage to Cora McCarty on June 10, 1874, James T. Leard became a member of the Choctaw tribe and that he occupied such a status in 1896 as entitled him to enrollment; that following the ruling of the Department of December 8, 1905 (I T D 6380,16856-1905) in the case of Loula West, et al. the action of the Commission to the Five Civilized Tribes in 1896 denying the application of James T. Leard and the subsequent ac-

tion of the United States Court and the Choctaw and Chickasaw Citizenship Court was without jurisdiction and of no effect, and that the said James T. Leard should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Act of Congress approved July 1, 1902.

January 30, 1907, the record in this case, together with the decision of the Commissioner of January 10, 1907 and copies of a schedule of Choctaws by Marriage upon which had been placed the name of James T. Leard at Number 1626, was transmitted to the Department.

This case was analogous to the case of Mattie Shockley, et al. in which this office had been directed to suspend action until the Attorney General had passed upon the questions involved in that case, but inasmuch as the time within which persons could be enrolled and their enrollment approved by the Secretary of the Interior, under the provisions of the Act of Congress approved April 26, 1906, was becoming very short, the schedule above described was prepared by this office and forwarded subject to the action of the Attorney General and the Department in the case of Mattie Shockley, and this office requested, in the event the opinion of the Assistant Attorney General of December 8, 1905, in that case was affirmed by the Attorney General, that the Department

approve the decision of January 10, 1907, and the schedule transmitted with office letter of January 30, 1907.

February 16, 1907, the Indian Office telegraphed this office that the record in the case of James T. Leard had not been received with office letter of January 30, 1907 and on February 18, 1907 the name was forwarded with the information that it had been inadvertently omitted from the letter of the Commissioner of January 30, 1907.

February 28, 1907 (Land 13758, 17208, 18731-1907) the Indian Office held that James T. Leard was not entitled to enrollment under the opinion of the Attorney General of February 19, 1907, in the Loula West case and recommended the disapproval of the schedule bearing his name.

March 2, 1907 (I T D 6408-1907) the Secretary of the Interior reversed the decision of the Commissioner to the Five Civilized Tribes of January 10, 1907, and disapproved the schedule bearing the name of James T. Leard.

This office has no record of any favorable action ever having been taken by the Department in this case.

Inasmuch as the name of James T. Leard was never upon an approved roll of citizens of the Choctaw Nation no formal allotment was made to him and it does not appear that appli-

cation for land of the Choctaw-Chickasaw country for the purpose of instituting contest was made by him or in his behalf.

Respectfully,

Acting Commissioner.

Through the Commissioner
of Indian Affairs.

Ab

WRL

Land
35918-1909
J E D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, G.R.
WASHINGTON. Jun 7 1909

Enrollment case of
James T. Leard.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma/

Sir:

Referring to a report of May 6, 1909 from the Acting Commissioner to the Five Civilized Tribes, relative to the Choctaw enrollment case of James T. Leard, you are advised that on June 2, 1909, the Department held that the case mentioned is not analogous to that of John E. Goldsby (211 U. S. 249), and therefore declined to take any action looking to the enrollment of James T. Leard as a citizen of the Choctaw Nation. A copy of approved Office letter of June 1, 1909, is inclosed for your further information.

You are requested to notify the applicant of this action of the Department.

Very respectfully,

(Signed) C. F. Hauke
Chief Clerk.

MCMcC-4
1870

Land
35918-1909
J E D

Enrollment case of
James T. Leard.

Jun 1 1909

Th e Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 1, 1909 (File 5-51) there is transmitted Herewith a report of May 6, 1909, from the Acting Commissioner to the Fi ve Civilized Tribes, relative to Cho ctaw enrollment case of James T. Leard. Other papers are also enclosed.

The Acting Commissioner reports that his office has no record of any favorable action ever having been taken by the Department in the above named case. From his report it does not appear that the name of James T. Leard was ever placed on the final approved roll of Choctaw citizens.

The Office is of the opinion that the case of James T. Leard is not analogous to that of John E. Goldsby (211 U. S. 249), and therefore recommends that the Department take no action looking to his enrollment.

Very respectfully,

M6McC-27
1561

(Signed) R. G. Valentine,

June 2, 1909.

Acting Commissioner.

APPROVED:

Frank Pierce,
First Assistant Secretary.

Choctaw 2[illegible]7

Muskogee, Oklahoma, June 16, 1909.

Mr. James T. Leard,

Milton, Oklahoma,

Sir:

You are hereby advised that on June 2, 1909, the Secretary of the Interior held that the case of James T. Leard is not analogous to that of John B. Goldsby (211 U. S. 249), and that he can take no action looking to your enrollment as a citizen of the Choctaw Nation under the opinion of the Supreme Court of the United States of November 30, 1908, in the said Goldsby case.

Respectfully,

Commissioner.

AB

Choctaw-2657

Muskogee, Indian Territory, December 19, 1903.

Horton & Brewer,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of December 15, 1903, in which you ask for certificate showing that the name of James T. Leard appears upon the 1896 census roll of the Choctaw Nation.

In compliance with your request there is enclosed herewith certificate showing that the name of Jas. T. Leard appears upon the 1896 census roll of the Choctaw Nation.

Respectfully,

Chairman.

7 2657

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

I, Tams Bixby, Chairman of the Commission to the Five Civilized Tribes, do hereby certify that the name of Jas. T. Leard, forty-five years of age, appears upon the 1896 Census Roll of the Choctaw Nation, Skullyville County, as an intermarried citizen of said Nation, opposite number 14743.

In testimony whereof I have hereunto set my hand at Muskogee, Indian Territory, this December 19, 1903.

Chairman.

7-2657

Muskogee, Indian Territory, May 16, 1903.

Horton & Brewer,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 12th, in which you ask for a certificate, showing the tribal enrollment of Cora Leard, wife of James T. Leard, for use before the Choctaw and Chickasaw Citizenship Court.

In compliance with your request there is inclosed you herewith a certificate, showing the enrollment of Cora Leard.

Respectfully,

Commissioner in Charge.

Inc. CM-1-16

FORM 2 T. P.

TELEGRAM

POSTAL TELEGRAPH-CABLE COMPANY OF TEXAS.

This Company transmits and delivers messages subject to the terms and conditions printed on the back of this blank.

S. M. ENGLISH, General Manager.

COUNTER NUMBER [redacted] TIME FILED.

Government Paid.

Send the following message, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

To Muskogee, Indian Territory, February 18, 1907

Commissioner of Indian Affairs,
Washington, D. C.

Replying telegram sixteenth instant, record in case of James T. Loard was over looked in mailing schedule. Same is forwarded to day.

Bixby,
Commissioner.

OPCR

THE POSTAL TELEGRAPH SYSTEM REACHES ALL IMPORTANT POINTS IN THE UNITED STATES AND BRITISH AMERICA, AND via COMMERCIAL CABLES, ALL THE WORLD.

POSTAL TELEGRAPH-CABLE COMPANY

OF TEXAS.

This Company transmits and delivers the within Message subject to the following

TERMS AND CONDITIONS.

To guard against mistakes or delays, the sender of a message should order it REPEATED; that is, telegraphed back to the originating office for comparison. For this, one-half the regular rate is charged in addition. It is agreed between the sender of the message written on the face hereof and the Postal Telegraph-Cable Company of Texas, that said Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any UNREPEATED message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any REPEATED message beyond fifty times the sum received for sending the same, unless specially insured, nor in any case for delays arising from unavoidable interruption to the working of its lines, or for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company when necessary to reach its destination.

Correctness in the transmission of messages to any point on the lines of the Company can be INSURED by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz.: one per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

No responsibility regarding messages attaches to this Company until the same are presented and accepted at one of its transmitting offices, and a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.

Messages will be delivered free within the established free delivery limits of the terminal office. For delivery at a greater distance a special charge will be made to cover the cost of such delivery.

This Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

No employee of this Company is authorized to vary the foregoing.

S. M. ENGLISH, General Manager.

Muskogee, Indian Territory, February 18, 1907.

The Commissioner
of Indian Affairs.

Sir:

Receipt is hereby acknowledged of Indian Office telegram of February 16, 1907, as follows:

> "In your report of Jany. thirtieth transmitting schedule you say record relative to application of James T. Leard forwarded it has not been received."

and on February 18, 1907, the following telegram was forwarded:

> "Replying telegram sixteenth instant, record in case of James T. Leard was overlooked in mailing schedule. Same is forwarded to-day."

January 30, 1907, this office addressed a letter to the Secretary of the Interior transmitting a schedule of Choctaws by marriage containing the name of James T. Leard, and the record and decision enrolling the said James T. Leard, but the record was inadvertently omitted from said letter.

The record in the case is herewith transmitted for consideration in connection with this case.

Respectfully,

7-2657.

Commissioner.

D. C. 14886-1907. SPECIAL JFJr. S.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 2, 1907.

I. T. D. 6208-1907.

L. R. S.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On February 28, 1907 (Land 18371-07), the Indian Office transmitted your report, dated January 30, 1907, forwarding the record of proceedings in the matter of the application of James T. Leard for enrolment as a citizen by intermarriage of the Choctaw Nation, together with your decision of January 10, 1906, granting said application. The Indian Office also transmitted a schedule of citizens by intermarriage of the Choctaw Nation containing the name of James T. Leard, which you recommend, in view of your decision of January 10, 1907, be approved.

The Indian Office does not consider this applicant entitled to enrolment and recommends the disapproval of the schedule transmitted. A copy of its letter is inclosed.

In view of the opinion of the Attorney General, dated February 19, 1907, in the Loula West and analogous cases, you decision of January 10, 1907, is hereby reversed.

The schedule transmitted is disapproved.

The papers in the case, together with a copy hereof and the original schedule, have been sent to the Indian Office, and three copies of said schedule are inclosed for appropriate disposition.

One copy of the schedule is retained in this office.

Respectfully,

E. A. Hitchcock,

Secretary.

4 inc. and 3 to Ind. Of.

AFMc
3-4-07.

Land.
13758-1907
17208-1907
18371-1907.

Copy.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON. February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby dated January 30, 1907, transmitting a schedule containing the name only of James T. Leard, who, Mr. Bixby found by decision of January 10, 1907, was entitled to enrollment as an intermarried citizen of the Choctaw Nation.

It did not appear from the records of the Office that the record relative to this application had been received and under date of February 16 the Office wired the Commissioner concerning the matter, to which he replied on the 18th saying that the record had been forwarded on that date. The report of the Commissioner dated February 18, transmitting the record, is also enclosed.

The record in the case shows that the applicant comes within the purview of the decision in the Loula West case and under the opinion of the Attorney General of February 19, 1907, he is not entitled to enrollment and the disapproval of the schedule is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

GAW-GH.

7-2657

Muskogee, Indian Territory, May 29, 1907.

S. A. Apple,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 18, 1907, asking if before the disapproval of the enrollment of James T. Leard his enrollment as an intermarried citizen of the Choctaw Nation had been approved by the Secretary of the Interior.

In reply to your letter you are advised that the name of James T. Leard was placed upon a schedule of citizens by intermarriage of the Choctaw Nation which was forwarded for Departmental action and on March 2, 1907 the Secretary of the Interior disapproved the schedule upon which the name of this person was placed.

Respectfully,

Commissioner.

IN RE

Application for Enrollment of

INFANT CHILD.

Wheeler Roosevelt Leard

As a citizen of the

Choctaw Nation.

Approved June 22 1899

[signature] Commissioner.

Choctaw 2659

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Wheeler Roosvelt Leard, born on the 15 day of March, 1899.

Name of father: James T. Leard, a citizen of the Choctaw Nation.

Name of mother: Cora Leard, a citizen of the Choctaw Nation.

Post Office: Milton, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Cora Leard, on oath, state that I am 42 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of James T. Leard who is a citizen, by Marriage, of the Choctaw Nation; that a boy child was born to me on the 15th day of March, 1899; that said child has been named Wheeler Roosvelt, and is now living.

Cora Leard

Subscribed and sworn to before me this 21st day of June, 1899.

J. L. Lewis
Notary Public.

Com. Exp. Apr. 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, H. C. Hunt, a Physician, on oath, state that I attended on Mrs. Cora Leard, wife of James T. Leard on the 15 day of March, 1899; that there was born to her on said date a boy child; that said child is now living and is said to have been named Wheeler Roosvelt.

H. C. Hunt

Subscribed and sworn to before me this 21st day of June, 1899.

J. L. Lewis
Notary Public.

Com. Exp. April 1901

Milton, I. Ty.

This card must be neatly and correctly made up and addressed at the post-office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivery Office and Date of Delivery.

Post Office Department.

OFFICIAL BUSINESS

Penalty for private use to avoid payment of postage, $300.

RETURN TO:

Name of Sender .....

Street and Number, or Post Office Box. .....

Commission to the Five Civilized Tribes

MUSKOGEE,

INDIAN TERRITORY.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Ardmore I.T.
(Delivering office.)

Registered {Letter / Parcel} *No.* 20218 **From Post Office at MUSKOGEE, IND. TER.,**

2657

Addressed to L A Apple
(Name of addressee.)

Date 1/12, 190 7
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

L A Apple
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon addressee's written order.
When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2658 George S. Cowan Choc

2658

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

George S. Cowan, 7 - 2658

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WINTON, I.T. Dec.17, 1902.

7-2658

In the matter of the application of George S. Cowan for enrollment as an inter married citizen of the Choctaw Nation.

George S. Cowan being sworn testified as follows:

Examination by the Commission:

Q What is your name? A George S. Cowan.
Q How old are you? A Thirty three.
Q What is your post office address? A Cowlington, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Since '89;fourteen years.
Q Have you lived here continuously since that time? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw wife through whom you claim?
A Sarah Overstreet.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to Sarah Overstreet? AIn 1893.
Q Where was this marriage ceremony performed? A One mile from Cowlington.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law? AYes sir.
Q Did you obtain a tribal license? AYes sir.
Q From whom? A A.Frank Ross,at Hartshorne; Deputy Clerk at that time of Gaines County.
Q How much did you pay for it? A $100.00
Q Who performedthe marriage ceremony? A Rev.John Dodson.
Q A minister of the gospel? AYes sir.
Q Were you ever married prior to your marriage to Sarah Overstreet?
A No sir.
Q Was she ever marriag before her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband andwife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A None at all.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir,I was enrolled there.
Q Did you then apply as an inter married citizen? A Yes sir.
Q What action was taken upon your case? At that time? A I was accepted.
Q Was your case ever appealed to the United States Court? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer

to the Commission to the Five Civilized Tribes he reported the above case on December 17, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry B. Haines

Subscribed and sworn to before me this 7 day of January, 1903.

Charles H. Sawyer

Notary Public.

West

Recorded on Page 7 of the Record Book of the Circuit Court in the 1st Judicial District Choctaw Nation, this the 3rd day of November 1893

Walter Taylor
Circuit Clerk

616

7 - 2658

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of George S. Cowan as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that George S. Cowan, on September 4, 1895, was married in accordance with the laws, customs and usages of the Choctaw Nation to Sarah Cowan (nee Overstreet), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7714 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It further appears from the records of the Commission that on September 5, 1896, in the case entitled "Geo. S. Cowan, et al., vs Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 750), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage to the said Sarah Cowan, and on December 3, 1896, the said George S. Cowan (as Geo. S. Cowan) was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It is, therefore, the opinion of this Commission that George S. Cowan should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

MAR 6 1903

CC

Choctaw- 2658

Muskogee, Indian Territory, May 6, 1903.

George S. Cowan,

Cowlington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage ofthe Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Enc. HG. 6

COPY.

Choctaw-2658

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of George S. Cowan, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Registered.
wnc. HG 7

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Iman Lee Cowan

as a citizen of

Choctaw Nation.

Approved JUL 29 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 29 1901

ACTING CHAIRMAN

CHOCTAW.
7-2658

BIRTH AFFIDAVIT. 20 1

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Imanlee Cowan, born on the 22 day of May, 1901
(Here insert name of child)

Name of Father: George S Cowan, a citizen of the by marriage Choctaw Nation.

Name of Mother: Sarah N Cowan, a citizen of the Choctaw Nation.

Post-office, Cowlington IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Sarah N Cowan, on oath state that I am 28 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of George S Cowan, who is a citizen, by marriage, of the Choctaw Nation, that a male (male or female) child was born to me on the 22 day of May, 1901 that said child has been named Imanlee Cowan, and is now living.

Sarah N Cowan

WITNESSES TO MARK

(Must be Two Witnesses)
Mary Beckett
Nathan Stein

Subscribed and sworn to before me this 24 *day of* July, 1901.

John W Chess
NOTARY PUBLIC

My Com Exp Oct 29-1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Jas B Beckett, a Physician, on oath state that I attended on Mrs. Sarah N. Cowan, wife of George S. Cowan, on the 22 day of May, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Imanlee Cowan

Jas B Beckett M D

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 24 *day of* July, 1901.

John W Chess
NOTARY PUBLIC

My Com Exp Oct 29-1901

Muskogee, Indian Territory, July 29, 1901.

Mr. George S. Cowan,

Cowlington, Ind,Ter.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Iman Lee Cowan, the infant son of George S. and Sarah N. Cowan, born May 22, 1901, and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

You are informed that when your wife was listed for enrollment that it was stated that her given name was Sarah Cowan. You are requested to state why she now signs her name Sarah N. Cowan.

Yours truly,

C-2658

Commissioner in Charge.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

COWLINGTON MAY 15 1903 IND. T.

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender COM. FIVE TRIBES

Street and Number, or Post Office Box. MUSKOGEE

Post Office at

County State IND. T.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

MCALESTER MAY 13 7 PM 1903 IND. T.

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender COM. FIVE TRIBES

Street and Number, or Post Office Box. MUSKOGEE

Post Office at

County State IND. TER.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Covington I.T. (Delivering office.)

Registered (Letter / Parcel) No. 6750 from Muskogee, Ind. Ter. (Office of origin.)

Addressed to George S. Cowen (Name of addressee.)

Date 9/10/03 (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

G S Cowen
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Sapulpa I.T. (Delivering office.)

Registered (Letter / Parcel) No. 16817 from Muskogee, Ind. Ter. (Office of origin.)

Addressed to Mansfield McMurray & Cornish (Name of addressee.)

Date NOV 3 03 (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

MANSFIELD, McMURRAY & CORNISH.
(Signature or name of addressee.)

Lenny Cobell
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2659 Annie Rose Choc

2659

N. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Bertie E. Rose

as a citizen of

Choctaw Nation.

Approved ... 1902

... 190...

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 28 1902

ACTING CHAIRMAN.

2659

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Bertie E. Rose, born on the 6 day of Feb, 1901

(Here insert name of child.)

Name of Father: Jim Rose a citizen of the ~~Choctaw~~ U.S. Nation.

Name of Mother: Annie Rose a citizen of the Choctaw Nation.

Post-office Stigler I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
~~INDIAN TERRITORY~~ }
Central District. }

I, Annie Rose, on oath state that I am 28 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Jim Rose, who is a citizen, by Marriage, of the Choctaw Nation; that a Girl (male or female.) child was born to me on 6 day of Feb 1901; that said child has been named Bertie E. Rose, and is now living.

Annie Rose

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 19 *day of* April 1902.

J. R. Cole

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
District. }

I, Landrum K Stephens, a M.D., on oath state that I attended on Mrs. Annie Rose, wife of Jim Rose, on the 6 day of Feb, 1901; that there was born to her on said date a Girl (male or female) child; that said child is now living and is said to have been named Bertie E Rose

Landrum K Stephens M.D.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 19 *day of* April 1902.

J R Cole

NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

William M Rose

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

Roll 1

7-2659.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of William M. Rose, born on the 29th day of May, 1898.
Name of father: Jim Rose, a citizen of the Nation.
Name of mother: Annie Rose, a citizen of the Choctaw Nation.
Post Office: Stigler Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Annie Rose, on oath, state that I am 27 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Jim Rose who is a citizen, by , of the Nation; that a Boy child was born to me on the 29th day of May, 1898; that said child has been named William M Rose and is now living.

Annie Rose

Subscribed and sworn to before me this 16th day of June, 1898.

My Commission Expires 12th Feb'y 1902.

T. R. Curtner
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, L. K. Stephens, a Physician, on oath, state that I attended on Mrs. Annie Rose, wife of Jim Rose on the 29 day of May, 1898; that there was born to her on said date a Male child; that said child is now living and is said to have been named William M Rose

L. K. Stephens

Subscribed and sworn to before me this 16th day of June, 1898.

T. R. Curtner
Notary Public.

My Commission Expires 12th Feb'y 1902.

7-2659

Muskogee, Indian Territory, April 23, 1902.

Jim Rose,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Bertie R. Rose, infant daughter of Jim and Annie Rose, born February 6, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

2660 Mary M. Harlow Choc

2660

INDEXED

12959

Booth, W.R., J.P.,
Sonanma, Arkansas,
April 26, 1904.

Corrects error made in affidavit of H.S. Thayer relative to death of Mary H. Harlow.

CHOCTAW ENROLLMENT.

7-2660

COMMISSIONERS
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

WM. O. BEALL,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

7-2660

Muskogee, Indian Territory, April 21, 1904.

E. B. Harlow,

Bocola, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit relative to the death of your wife, Mary M. Harlow, an intermarried citizen of the Choctaw Nation, which occurred January 23, 1901.

The affidavit of acquaintance is signed by H. S. Thayer, and it is stated in his affidavit that Mary M. Harlow died January 23, 1904.

You are kindly requested to immediately inform this office if the affidavit signed by H. S. Thayer should not state, January 23, 1901.

An envelope for your reply is enclosed herewith.

Respectfully,

Chairman.

Bananza Ark April 26 [illegible]

ENV.

This is to certify that it was my mistake the affidavit of H. S. Thayer should have stated January 23th 1901

W. R. Booth J. P.

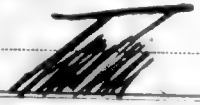
IN RE
THE DEATH OF

Mary M. Harlow

a citizen of the

Choctaw *Nation.*

Approved MAY 21 1904 *190*



Commissioner

May 25 1904

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
May 25 1904

CHAIRMAN.

7-2660

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Mary M. Harlow
(Here insert name of deceased)
a citizen of the Choctaw Nation, who formerly resided at or near
Bocola (Here insert name of post office), Ind. Ter., and died on the ~~14~~ 23 day of
January 1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY.~~
State of Arkansas
County of Sebastian ~~District.~~

I, E. B. Harlow, on oath state that I am 64 years of age and a ~~citizen by~~ Resident, of the Choctaw Nation; that my post office address is Bocola (Here insert name of post office), Ind. Ter.; that I am Husband (State relationship as the father, an uncle, a cousin, etc.) of Mary M. Harlow (Here insert name of deceased), who was a citizen, by Marriage, of the Choctaw Nation; and that said Mary M. Harlow (Here insert name of deceased) died on the 23 day of January, 1901

E. B. Harlow

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th day of April 1904

W. R. Booth Justice of the Peace
~~Notary Public.~~

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY.~~
State of Arkansas
County of Sebastian ~~District.~~

I, W. S. Thayer, on oath state that I am 33 years of age, and a citizen, by Blood, of the State of Arkansas Nation; that my post office address is Bonanza Arkansas (Here insert name of post office) ~~Ind. Ter.~~; that I was personally acquainted with Mary M Harlow (Here insert name of deceased), who was a citizen by Marriage, of the Choctaw Nation; and that said Mary M. Harlow (Here insert name of deceased) died on the 23 day of January, 1901

W. S. Thayer

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th day of April 1904

W. R. Booth Justice of the Peace
Notary Public.

Muskogee, Indian Territory, February 13, 1901.

Frank T. Leflore,

Fort Smith, Arkansas.

Dear Sir:

The Commission is in receipt of your letter of the 5th instant, in which you state that you are a Choctaw by blood and have married a non citizen and that you wish to have your wife listed for enrollment as an intermarried citizen of the Choctaw Nation. You desire to be informed when and where she may appear before the Commission as an applicant for such enrollment.

Replying to your letter you are informed that the rules and regulations of the Department of the Interior and of this Commission require that each and every applicant for enrollment must appear in person before the Commission for the purpose of an examination under oath. If your wife desires to make such appearance she can do so at any time prior to the forwarding of the final rolls of citizens of the Choctaw Nation to the Secretary of the Interior for his approval. Such appearance must be made at the office of the Commission at Muskogee, Indian Territory.

Yours truly,

Acting Chairman.

7-2783

Muskogee, Indian Territory, February 14, 1901.

E. B. Harlow,

Bonanza, Arkansas.

Dear Sir:

The Commission is in receipt of your letter of the 2nd instant in which you state that your wife, Mary M. Harlow, is dead and that she was enrolled by this Commission as a Choctaw citizen. That her rights to citizenship are as an intermarried citizen of the Choctaw Nation by reason of her marriage to John Lyes a Choctaw Indian and that after his death she was married to you, a white man. That you have a farm well improved in the Choctaw Nation and have invested a considerable sum of money on this farm in good faith.

You now desire to be informed that as your wife is dead, if you will be allowed to hold this place.

Replying to your letter you are informed that the records of this Commission show that Mary M. Harlow, was admitted to citizenship in the Choctaw Nation as an intermarried citizen thereof by the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896, in Choctaw case No. 1266. If she is now dead, the Commission has to request that the enclosed affidavits as to her death be properly executed and returned to the Commission so that the same may be made a matter of record.

As to your right to hold the land which would have been your wife's prospective allotment of the lands of the Choctaw Nation, you are informed that the allotment of the lands of the Choctaw-

Chickasaw country will be made to the citizens of these two Nations whose names appear upon the final rolls as approved by the Secretary of the Interior.

An agreement has recently been entered into between the Choctaw and Chickasaw Tribes of Indians and the United States closing the rolls of citizenship of these two Nations September 1st, 1901 This agreement will become effective upon its ratification by the United States and by the citizens of the Choctaw and Chickasaw Nations. As such rolls of citizenship will be made as of the first of September, 1901, and your wife now being dead, her name could not be included upon said final roll as a participant in the allotment of the lands thereof and as you could not be recognized in any manner as a citizen of the Choctaw or Chickasaw Tribe of Indians, the Commission is of the opinion that you could not participate in the allotment of the lands of these two Nations.

Yours truly,

Acting Chairman.

7-2660

Enc 6

7-2660.

Muskogee, Indian Territory, April 9, 1904.

E. B. Harlow,

Bonanza, Arkansas.

Dear Sir:-

On February 2, 1901, you informed the Commission that your wife, Mary M. Harlow had died since the time she was listed for enrollment as a citizen by intermarriage of the Choctaw Nation.

On February 14, 1901, you were requested to supply the Commission with proof of death of your said wife and a blank for that purpose was enclosed you.

For the purpose of making her death a matter of record there is enclosed you herewith a blank for proof of death which you should immediately fill out and have properly executed and return to the Commission. You will notice that there is a blank for the affidavit of a relative and an acquaintance of the deceased.

In having the same executed be careful to see that all blank spaces are properly filled, all names written in full, and that the notary public, before whom the affidavits are acknowledged, attaches his name and seal to each separate affidavit. In case any signature is by mark, it must be attested by two dis-

interested parties, witnesses thereto.

Please give this matter your prompt attention.

Respectfully,

Commissioner in Charge.

D-C

Env.

7-2660

Muskogee, Indian Territory, April 21, 1904.

T. B. Harlow,

Bocola, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit relative to the death of your wife, Mary M. Harlow, an intermarried citizen of the Choctaw Nation, which occurred January 23, 1901.

The affidavit of acquaintance is signed by H. S. Thayer, and it is stated in his affidavit that Mary M. Harlow died January 23, 1904.

You are kindly requested to immediately inform this office if the affidavit signed by H. S. Thayer should not state, January 23, 1901.

An envelope for your reply is enclosed herewith.

Respectfully,

Chairman.

KMV.

7-2660

Muskogee, Indian Territory, May 2, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card, No. 2660, Mary M. Harlow, and to the duplicate thereof in your possession, you are requested to stamp said duplicate with the word "Cancelled" and place thereon, in red ink, the following notation:

"Applicant diedprior to ratification of Choctaw-Chickasaw Agreement, September 25, 1902; proof filed May 2, 1904."

You are also requested to stamp the word "Dead" opposite the name of No. 1 on said duplicate.

Respectfully,

Chairman.

7-2660

Muskogee, Indian Territory, May 2, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card, No. 2660, Mary M. Harlow, and to the duplicate thereof in your possession, you are requested to stamp said duplicate with the word "Cancelled" and place thereon, in red ink, the following notation:

"Applicant died prior to ratification of Choctaw-Chickasaw Agreement, September 25, 1902; proof filed May 2, 1904."

You are also requested to stamp the word "Dead" opposite the name of No. 1 on said duplicate.

Respectfully,

Chairman.

7-2660

Muskogee, Indian Territory, May 2, 1904.

W. R. Booth,

Bonanza, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 26, 1904, stating that the affidavit of H. S. Thayer, relative to the death of Mary M. Harlow, an intermarried citizen of the Choctaw Nation, wherein it is stated that said person died January 23, 1904, is an error, and that his affidavit should have stated that Mary M. Harlow died January 23, 1901.

Your letter has been duly filed with our records in the matter.

Respectfully,

Chairman.

Choctaw 2660

Muskogee, Indian Territory, August 6, 1904.

Hill & Brizzolara,

Attorneys at Law,

Fort Smith, Arkansas,

Gentlemen:

Receipt is hereby acknowledged of your letter of August 1, requesting to be advised what procedure is necessary in the matter of selecting an allotment for Mary M. Harlow, wife of E. B. Harlow, who died January 23, 1901.

In reply to your letter you are advised that Mary M. Harlow having died prior to September 25, 1902, the date of the ratification by the Choctaw and Chickasaw Nations of the act of Congress approved July 1, 1902, she would not, under the provisions of that act, be entitled to an allotment of the lands of the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

2661 Simon, Isaac

Choc

2661

7-2661

Muskogee, Indian Territory, April 23, 1907.

Simon Isaac,

Iron Bridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and the affidavit of N. M. King to the death of Kizzie Isaac and James Isaac, citizens of the Choctaw Nation, which occurred December 15, 1906 and October 24, 1906, and the same have been filed as evidence of the above named citizens.

Respectfully,

Commissioner.

2662 willy wallace choc

2662

7-2002
7-2003

Muskogee, Indian Territory, January 30, 1903.

Willy Wallace,

Stigler, Indian Territory.

Dear Sir:

This office has been advised that your mother, Nellie Cooper, has died since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation.

If this information is correct, you are requested to furnish the Commission with proper proof of her death, and a blank for that purpose is enclosed you herewith, together with an envelope for the return of same when properly executed.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavit, are unable to write, and their signatures are by mark, such signatures must be attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged

W W 2

must affix his notarial jurat and seal to each separate affidavit

Please give this matter immediate attention.

Respectfully,

Acting Chairman.

Enc.

D.C.

2663 Nellie Cooper doc

2663

IN RE
THE DEATH OF

Nellie Cooper

a citizen of the

Choctaw *Nation.*

Approved AUG 2 1905 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 29 1903

CHAIRMAN.

4-2663

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Nelly Cooper (Here insert name of deceased)

a citizen of the Choctaw Nation, who formerly resided at or near Stigler (Here insert name of post office), Ind. Ter., and died on the 19th ~~Nov.~~ day of November 1899

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western District.

I, W. E. Wallace, on oath state that I am 45 years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Kinta (Here insert name of post office) Ind. Ter.; that I am a Son (State relationship as the father, an uncle, a cousin, etc.) of Nelly Cooper (Here insert name of deceased), who was a citizen, by blood, of the Choctaw Nation; and that said Nelly Cooper (Here insert name of deceased) died on the 19 day of November, 1899

+ W. E. Wallace

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 22 day of [illegible] 1903

J. H. Heffard Notary Public.

MY COMMISSION EXPIRES SEPTEMBER 9,1906

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western District.

I, Joseph E. Jackson, on oath state that I am 51 years of age, and a citizen, by blood, of the Choctaw Nation; that my post office address is Whitefield (Here insert name of post office) Ind. Ter.; that I was personally acquainted with Nelly Cooper (Here insert name of deceased), who was a citizen by blood, of the Choctaw Nation; and that said Nelly Cooper (Here insert name of deceased) died on the 19 day of November, 1899.

x Joseph E Jackson

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 22 day of August 1903

J. H. Heffard Notary Public.

MY COMMISSION EXPIRES SEPTEMBER 9,1906

7-2362
7-2363

Muskogee, Indian Territory, January 30, 1903.

Willy Wallace,

Stigler, Indian Territory.

Dear Sir:

This office has been advised that your mother, Nellie Cooper, has died since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation.

If this information is correct, you are requested to furnish the Commission with proper proof of her death, and a blank for that purpose is enclosed you herewith, together with an envelope for the return of same when properly executed.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, such signatures must be attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged

must affix his notarial jurat and seal to each separate affidavit.

Please give this matter immediate attention.

Respectfully,

Acting Chairman.

Enc.

D.C.

Choctaw 2663.

Muskogee, Indian Territory, February 21, 1903.

Willie Wallace,

Kintah, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 17, stating that your mother, Nelly Cooper, died November 19, 1899, and wishing to be informed if you can select her allotment.

In reply to your letter you are advised that the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, provides as follows:

"No person whose name does not appear upon the rolls prepared as herein provided shall be entitled to in any manner participate in the distribution of the common property of the Choctaw and Chickasaw tribes, and those whose names appear thereon shall participate in the manner set forth in this agreement: Provided, That no allotment of land or other tribal property shall be made to any person, or to the heirs of any person whose name is on the said rolls, and who died prior to the date of the final ratification of this agreement."

For the purpose of making the death of your mother a matter of record there is inclosed you herewith a blank form for proof of death, which kindly have executed and return to this office in the inclosed envelope which requires no postage.

You will note that there is an affidavit for a relative and one for an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in

full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses.

Respectfully,

Chairman.

D.C.
Env.

7-2663

Muskogee, Indian Territory, August 15, 1903.

Willie Wallace,

Kintah, Indian Territory.

Dear Sir:

On February 17, 1903, you forwarded a letter to this office stating that your mother, Nelly Cooper, died November 19, 1899. For the purpose of making the death of your mother a matter of record, there was, on February 21, 1903, enclosed you a blank form for proof of death, with instructions relative to the proper execution of the same, and an envelope for return of the affidavits, which you were kindly requested to do with as little delay as possible.

It does not appear that our request has yet been complied with, and your attention is again called to the matter, a new blank and envelope being enclosed herewith.

Respectfully,

Commissioner in Charge.

D.C.

Env.

7-2663

Muskogee, Indian Territory, August 29, 1903.

W. E. Wallace,

Kintah, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Joseph E. Jackson relative to the death of your mother, Nellie Cooper, a citizen by blood of the Choctaw Nation, which occurred November 19, 1899; and the same being in proper form have been duly filed with our records as evidence of death of the above named person.

Respectfully,

Chairman.

Chairman

7-2663

Muskogee, Indian Territory, August 29, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2663:

"No. 1 died Nov. 19, 1899. Proof of death filed Aug. 29, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Chairman.

7-2663

Muskogee, Indian Territory, August 29, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2663:

"No. 1 died Nov. 19, 1899. Proof of death filed Aug. 29, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Chairman.

2664 Jesse Tecumseh Choc

2664

7-2664

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

Acting Chairman.

...Office of...

Clerk and Treasurer

Scullyville County

Choctaw Nation.

190

Oak Lodge, I.T.

Be it known to all whom it may concern:

That Mr. Jesse Pacunsha and Mrs. Francis Pacunsha were lawfully married by the undersigned this the [illegible] day of February 1902.

E. A. Moore,
County Judge
Scullyville Co.

witness John Johnson
Mrs. E. A. Moore.

7-2664

7-2664.

Muskogee, Indian Territory, December 26, 1902.

Jesse Tecumseh,

Shadypoint, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the certificate of marriage between Jesse Tecumseh and Francis Tecumseh, dated February 6, 1902.

You are requested to state the full maiden name of your wife; and if she is a citizen by blood of the Choctaw Nation, the time and place application was made for her enrollment together with the names of the other members of her family for whom application was made at the same time.

Please give this matter prompt attention.

Respectfully,

Acting Chairman.

7-3664.

Muskogee, Indian Territory, January 22, 1903.

Jesse Tecumseh,

Shady Point, Indian Territory.

Dear Sir:

There was recently received at this office a certificate of marriage between Jesse Tacumsha and Francis Tacumsha, dated February 6, 1902, signed by E.A. Moore, County Judge of Skully-ville County.

You are requested to inform the Commission at your earliest convenience whether or not your wife is a citizen by blood of the Choctaw Nation; and if so, her full maiden name, he age, the names of her parents, the time and place she was listed for enrollment and the names of the other members of her family for whom application was made at the same time.

Respectfully,

Commissioner in Charge.

Choctaw 2467
Choctaw 2664

Muskogee, Indian Territory, January 21, 1903.

Frances Tickumpsch,

Care S. W. James,

Nokoshe, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of November 19, 1902, in which you state that you were enrolled with your first husband, Charles Tickumpsch, to whom you were married on January 17, 1900; that Charles Tickumpsch died on March 7, 1901; that your baby, Charles Culberson Tickumpsch, died on September 5, 1901, and you did not want to make application for the enrollment of a dead child. You state that you are now married to Jesse Tickumpsch.

In reply to your letter you are informed that it appears from our records that Charles Tecumseh was listed for enrollment as a citizen by blood of the Choctaw Nation on June 12, 1899, and that no one was listed with him at that time except Wilburn James, his ward. If you are listed for enrollment, kindly give the names of your parents, and state when and where you were listed for enrollment and the matter will receive consideration.

For the purpose of making the death of Charles Tecumseh a matter of record there is inclosed you herewith a blank form for

F T 2

proof of death. You will note there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses.

Respectfully,

B.C.
Env.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

SEMINOLE, IND. MAY 16 1903

Date of Delivery

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender

Street and Number, or Post Office Box. COM. FIVE TRIBES

Post Office at MUSKOGEE, IND. TER.

County State

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Sapulpa O.T.
(Delivering office)

Registered {Letter / Parcel} No. 1658 *from* Muskogee, Ind. Ter.
(Office of origin.)

Addressed to Myrtle Brashears
(Name of addressee.)

Date ..... (Date of delivery.) ....., 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Myrtle Brashears
(Signature or name of addressee.)

Ben Brashears.
(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2665 Adam Hepsin choc

2665

EMPTY

2666 John Johnico Choc

2666

7-2666
7-2673

Muskogee, Indian Territory, April 24, 1902.

S. W. James,

Attorney at Law,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Josephene Johnico, infant daughter of John and Lucy Johnico, born May 22, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of a certified copy of the divorce proceedings between Lucy and James Kelly; also statement as to the marriage of Lucy Kelly to John Johnico, and the same have been duly filed with the records of the Commission in the matter of the application for enrollment of the above named child.

Yours truly,

Commissioner in Charge.

2667 Adam Cooper doc

2667

Choctaw 2667

Muskogee, Indian Territory, November 13, 1902.

J. D. Cooper,

South McAlester, Indian Territory. (United States Jail)

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant, relative to a controversy existing between you and certain persons as to the possession of a particular tract of land in the Choctaw-Chickasaw country.

In reply to your letter you are advised that the Commission cannot at this time take any cognizance of controversies arising between citizens as to the possession of any certain tract of land in the Choctaw-Chickasaw country. Matters of this character will receive theattention of the Commission upon the establishment of land offices in the Choctaw and Chickasaw Nations.

Respectfully,

Acting Chairman.

2668 James Sockey Choc

2668

7-2668.

Muskogee, Indian Territory, October 28, 1902.

James Sockey,

Iron Bridge, Indian Territory.

Dear Sir:

In the matter of your enrollment as a citizen of the Choctaw Nation there is no record of the amount of Choctaw blood which you possess. It will be necessary that you furnish the Commission with an affidavit setting this forth. This matter should receive your immediate attention as nothing further can be done in thematter of your enrollment until this affidavit is received.

Respectfully,

Acting Chairman.

7-2668.

Muskogee, Indian Territory, December 5, 1903.

James Socken,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit in which you state that you are a full blood Choctaw Indian.

You are advised that this information has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

DEC 5 1902

ACTING CHAIRMAN

2669 Isam E. Watkins Choc

2669

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

OPHELIA WATKINS, 7 - 2669

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In enrollment of Ophelia Watkins as intermarried Choctaw;

Isam E. Watkins being sworn and examined by Com.McKennon testifies

Q Your name is Isam E. Watkins? A Yes sir.

Q How old? A Forty-five.

Q You are a citizen of the Choctaw Nation by blood?

A Yes sir.

Q Your wife is named Ophelia? A Yes sir.

Q She is a white woman? A Yes sir.

Q Were you lawfully married to her? A Yes sir, in the Choctaw Nation, this County.

Q When? A Married the first day of January 1880.

Q Who performed the ceremony? A Mr. Shepard, Superintendent of New Hope; he is dead now.

Q Was he a Minister of the Gospel? A Yes sir.

Q She still living with you? A Yes sir.

----- ------ -----

Wingenon Watkins being sworn and examined testifies:

Q What is your name? A Wingenon Watkins.

Q How old are you? A Forty-eight.

Q Are you the brother of Isam E. Watkins? A Yes sir.

Q You are a citizen of the Choctaw Nation by blood?

A Yes sir.

Q Were you present when they were married? A Yes sir, saw them married.

Q Who officiated? A Brother Shepard, Minister of the Gospel in the Choctaw Nation.

Q She still living with him? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, I.T. Dec.23, 1902.

7-2669

In the matter of the application of Ophelia Watkins for enrollment as an inter married citizen of the Choctaw Nation.

Ophelia Watkins being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Ophelia Watkins.
Q How old are you? A Forty three.
Q What is your post office address? A Kinta, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation continuously? A 25 years;but only in Kinta since September.
Q You are an applicant for inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A Isom Watkins.
Q Is he living? A Yes sir.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q When and where were you married to him? A In 1880, 1st of January near Oak Lodge
Q Have you lived continuously with him since that marriage up to the present time? A Yes sir.
Q You are both residents of the Choctaw Nation now and have lived in the Choctaw Nation continuously up to the present time? A Yes sir.
Q Were you married under Choctaw laws or United States laws? A We was married in the Nation.
Q Was it a United State license or Choctaw? A We didn't have any license;they didn't have licenses then.
Q Who married you? A Mr.Shapard.
Q Was he a preacher? A Yes sir.
Q Choctaw? A No sir, white man.Q Were you ever married before your marriage to your present husband? A No sir.
Q Was he ever married before? A No sir.
Q You are living together now as husband and wife? A Yes sir.
Q Never has been any separation or divorce? A No sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case on December 23, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 8 day of January, 1903.

Charles Ketcham

Notary Public.

7 - 2669

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ophelia Watkins as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Ophelia Watkins, on January 1, 1880, was lawfully married to Isam E. Watkins, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7741 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Ophelia Watkins should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman

Muskogee, Indian Territory,

JUL 30 1903

Choctaw 2669

COPY.

Muskogee, Indian Territory. July 20, 1903.

Ophelia Watkins,

Kinta, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.

Commissioner in Charge.

Registor.

Enc. MC 3/20

Choctaw 2069

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 10, 1903, granting the application of Ophelia Watkins for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.
Commissioner in Charge.

Register

ENC. MYC 4/20

IN RE

Application for Enrollment of

A INFANT CHILD.

Sam Eldrid Watkins

As a citizen of the

Choctaw Nation.

Approved MAY 24 1906

Commissioner.

MAY 24

2669.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Indians, born on the 23 day of January, 1900.

Name of father: Grant E Watkins, a citizen of the Choctaw Nation.

Name of mother: Ophelia A Watkins, a citizen of the Choctaw Nation.

Post Office: Spiro, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Ophela Watkins, on oath, state that I am 40 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of L. E. Watkins who is a citizen, by Blood, of the Choctaw Nation; that a Boy child was born to me on the 23 day of Jan, 1900; that said child has been named Isaac Eldred Watkins and is now living.

Ophelia A. Watkins

Subscribed and sworn to before me this 6 day of February, 1900.

Grant E. Parke

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Frank W. Johnson M.D., a Physician, on oath, state that I attended on Mrs. [illegible], wife of [illegible] on the 23 day of January, 1900; that there was born to her on said date a Male child; that said child is now living and is said to have been named [illegible].

Frank W. Johnson M.D.

Subscribed and sworn to before me this 6 day of February, 1901.

Grant E. Parke,

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Lulu Watkins

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

Card No 2669

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Lula Watkins, born on the 3d day of March, 1897.

Name of father: Isom E. Watkins, a citizen of the Choctaw Nation.

Name of mother: Ophelia A. Watkins, a citizen by intermarriage of the Choctaw Nation.

Post Office: Oak Lodge, I.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ophelia A. Watkins, on oath, state that I am 40 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Isom E. Watkins who is a citizen, by blood, of the Choctaw Nation; that a Girl child was born to me on the 3d day of March, 1897; that said child has been named Lula Watkins, and is now living.

Ophelia A. Watkins

Subscribed and sworn to before me this 1st day of June, 1899.

[illegible]

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

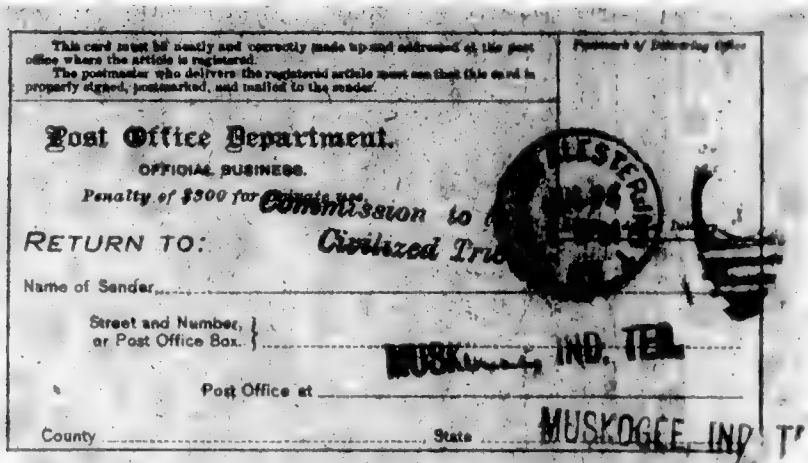
I, W. Johnson, a Physician, on oath, state that I attended on Mrs. Ophelia A. Watkins, wife of Isom E. Watkins on the 3 day of March, 1897; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Lula Watkins.

W. Johnson, M.D.

Subscribed and sworn to before me this 1st day of June, 1899.

[illegible]

Notary Public.



This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.

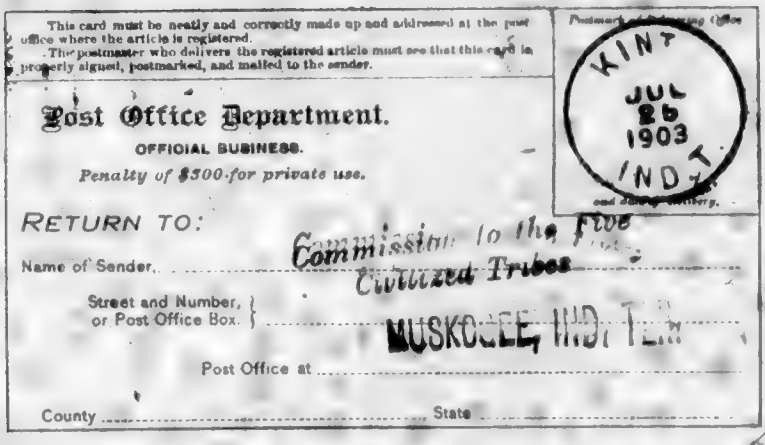
RETURN TO: Commission to the Civilized Tribes

Name of Sender

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County State MUSKOGEE, IND T



This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

KINT JUL 25 1903 IND T

Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.

RETURN TO: Commission to the Five Civilized Tribes

Name of Sender

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County State

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Sv. McAlester I. T.
(Delivering office.)

Registered {Letter / Parcel} No. 10541 *from* MUSKOGEE, IND. TER.
(Office of origin.)

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

Date _____ (Date of delivery.), 190

MANSFIELD, McMURRAY & CORNISH.
(Signature or name of addressee.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

G Rosenwinkel
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Kinta I. T.
(Delivering office.)

Registered {Letter / Parcel} No. 10460 *from* MUSKOGEE, IND. TER.
(Office of origin.)

Addressed to Ophelia Watkins
(Name of addressee.)

Date July 25, 1902
(Date of delivery.)

Ophelia Watkins
(Signature or name of addressee.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

L E Watkins
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

RECEIVED

2670 James Darneal Choc

2670

IN RE

Application for Enrollment of

INFANT CHILD.

Katie Lamar

As a citizen of the

Choctaw Nation.

Approved Dec 13 1899

Commissioner.

Card No 2670

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Katie Earneal, born on the 19 day of January, 1897.

Name of father: James Earneal, a citizen of the Choctaw Nation.

Name of mother: Sallie Earneal, a citizen of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, James Earneal, on oath, state that I am 66 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Sallie Earneal who is a citizen, by blood, of the Choctaw Nation; that a female child was born to ~~me~~ us on the 19 day of January, 1897; that said child has been named Katie Earneal, and is now living.

Witness F. W. Lobdell

his
James x Earneal
mark

Subscribed and sworn to before me this 15th day of June, 1897.

F. W. Lobdell
Notary Public.

My commission expires

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ Neighbor.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Silas Earneal, a neighbor, on oath, state that I ~~attended on Mrs.~~ ~~wife of~~ James and Sallie Earneal on the 19 day of January, 1897; that there was born to ~~her~~ them on said date a female child; that said child is now living and is said to have been named Katie Earneal.

his
Silas x Earneal
mark

Subscribed and sworn to before me this 15 day of June, 1897.

F. W. Lobdell
Notary Public.

My commission expires

3-27

20

IN RE

Application for Enrollment of

INFANT CHILD.

Rena Darneal

As a citizen of the

Choctaw Nation.

Approved MAY 24 1904

Commissioner.

FILED
APR 16 1900
COMMISSION TO FIVE TRIBES.

5

2670

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ida Rena Darneal, born on the 22 day of November, 1897.
Name of father: James Darneal, a citizen of the Choctaw Nation.
Name of mother: Sallie Darneal, a citizen of the Choctaw Nation.
Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sallie Darneal, on oath, state that I am 45 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of James Darneal who is a citizen, by blood, of the Choctaw Nation Nation; that a girl child was born to me on the 22 day of Nov., 1897; that said child has been named Rena Darneal, and is now living.

Ed Lanier
Rebca Lanier

Sallie her + Darneal mark

Subscribed and sworn to before me this 21 day of Nov., 1900.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary Darneal, a midwife, on oath, state that I attended on Mrs. Sallie Darneal, wife of James Darneal on the 22 day of Nov, 1897; that there was born to her on said date a girl child; that said child is now living and is said to have been named Rena Darneal.

Dr Lanier
Rebca Lanier

Mary Darneal

Subscribed and sworn to before me this 21 day of Nov., 1900.

Notary Public.

Muskogee, Indian Territory, March 27, 1900.

Mr. James Bower,

Oak Lodge, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of March 23, inclosing an application for the enrollment as a citizen of the Choctaw Nation of Rena Darneal, the infant daughter of James and Sallie Darneal, and the same is returned to you herewith for the reason that the signature of Sallie Darneal being by mark, it will be necessary to have it attested by two disinterested parties as witnesses, before it can be accepted. Upon the return of this affidavit with the omission corrected, the matter of the enrollment of Rena Darneal will receive further attention.

Yours truly,

Acting Chairman.

Inclosure 3-27

In replying to this letter,
please refer to Choctaw 2670.

7-3670.

Muskogee, Indian Territory, January 30, 1903.

James Darneal,

Oaklodge, Indian Territory.

Dear Sir:

This office has received information that your minor child, Rena Darneal, has died since the time she was listed for enrollment as a citizen by blood of the Choctaw Nation.

If this information is correct, you should furnish the Commission with proper evidence of her death, and blank affidavits for such purpose are enclosed herewith, which you are kindly requested to have properly executed and return to this office at your earliest convenience in the enclosed envelope.

Please give this matter immediate attention.

Respectfully,

Acting Chairman.

Env.

D.C.

7-2670.

Muskogee, Indian Territory, February 19, 1903.

James Darneal,

Oaklodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Thomas D. Ainsworth relative to the death of your daughter, Rena Darneal, a citizen by blood of the Choctaw Nation, which occurred in August, 1900; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

2671 William T. Ross Choc

2671

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

L i z z i e R o s s, 7 - 2671

Department of the Interior
Commission to the Five Civilized Tribes
Tishomingo, I.T. November 6, 1902.

Choctaw 2671.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Lizzie Ross.

William T. Rossbeing first duly sworn on his oath testified as follows:

Examination by the Commission

Q What is your name? A William T. Ross.
Q What is your age? A Forty-nine.
Q What is your post office address? A Grantham.
Q Are you a citizen of the Choctaw Nation by blood? A Yes,sir.
Q Are you the husband of Lizzie Ross who claims the right to enrollment as an intermarried citizen of the Choctaw Nation? A Yes,sir
Q Is she living? A Yes,sir.
Q When were you married to her? A Married to her in '74.
Q Was she admitted to citizenship by the Choctaw council? A Yes, sir.
Q You remember what year that was in? A '88.
Q You and your wife have continued to live together as husband and wife from the time of your marriage? A Yes,sir.
Q Living together at the present time? A Yes,sir.
Q Never has been any separation of any kind or character between you? A No,sir.
Q You and your wife resided continuously in the Choctaw -Chickasaw country during the past seven years? A Yes,sir.
Q Never been outside the Indian Territory during that time to establish a residence or make a home? A No,sir.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on November 6, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on saiddate.

Rosenwinkel

Subscribed and sworn to before me this 17 day of January 1903.

Charles T. Sawyer

Notary Public.

Wax

7-2671.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lizzie Ross as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N----

It appears from the census card record in this case that Lizzie Ross appeared before the Commission at Spiro, Indian Territory, on June 14, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Tishomingo, Indian Territory, on November 6, 1902.

It further appears from the records of the Commission that on September 9, 1896, in the case entitled, "Lizzie Ross, et al., vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 660), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with William T. Ross, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Lizzie Ross was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage of said nation, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lizzie Ross should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

COPY.

Choctaw-2671

Muskogee, Indian Territory, May 6, 1903.

Lizzie Ross,

Grantham, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been fil filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Registered.

Enc. HG. 1

COPY.

Choctaw-2671.

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Lizzie Ross, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Registered.

Enc. No. 2

54.

Certificate of Record of Marriage

United States of America,
Indian Territory,
Southern District. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court, in the Territory and District aforesaid Do HEREBY CERTIFY, that the License for and Certificate of Marriage of

MR. [illegible] and

M[illegible]

were filed in my office in said Territory and District the [illegible] day

of [illegible] A.D., 190[illegible]

and duly recorded in Book [illegible]

of Marriage Record, Page [illegible].

WITNESS my hand and Seal of said Court, at Ardmore, this [illegible] day of

[illegible] A.D. 190[illegible]

[illegible]

CLERK.

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

Ardmoreite Steam Print.

E A

MARRIAGE LICENSE

No.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss:

To Any Person Authorized by Law to Solemnize Marriage, Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. J.W. McCarley of Madill in the Indian Territory, aged 30 years, and M Katie Ross of Grantham in the Indian Territory, aged 21 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness my hand and official Seal, this 13 day of Nov. A. D. 190 2

C.M. Campbell
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss:

I, do hereby certify that on the 16 day of Nov. A. D. 190 2 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 16 day of Nov A. D. 190 2

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book C, Page 64.

J R McCarley

NOTE - The person officiating should fill in the spaces for book and page and sign here. Do

a

NOTE a. This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory at Ardmore within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars $100

NOTE b. No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office

IN RE

Application for Enrollment of

INFANT CHILD.

Dwight M Cass

As a Citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

1-2671

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Territory, born on the 10 day of March, 1899.
Name of father: W. H. Ross, a citizen of the Choctaw Nation.
Name of mother: Lizzie Ross, a citizen of the Choctaw Nation.
Post Office: Cartersville

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Ross; on oath, state that I am 38 years of age and a citizen, by Marriage of the Cocktaw Nation; that I am the lawful wife of W. H. Ross who is a citizen, by Blood, of the Choctaw Nation; that a male child was born to me on the 10 day of March, 1899; that said child has been named Dwight M. Ross and is now living.

Lizzie Ross

Subscribed and sworn to before me this 16 day of June, 1899.

R B Lowrie
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J R Butler, a Physician, on oath, state that I attended on Mrs. Lizzie Ross, wife of W H Ross on the 10 day of Mar, 1899; that there was born to her on said date a Male child; that said child is now living and is said to have been named Dwight M Ross.

J R Butler M D

Subscribed and sworn to before me this 16 day of June, 1899.

R B Lowrie
Notary Public.

FAW. 20

IN RE

Application for Enrollment of

INFANT CHILD

Louis Ross

as a citizen of

Choctaw Nation.

Approved Aug 1902 190

C. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
Aug 2 1902

ACTING CHAIRMAN.

2671

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctow Nation,

of Louis Ross (Here insert name of child), born on the 5th day of Jannay, 1902

Name of Father: William O Ross a citizen of the Choctow Nation.

Name of Mother: Lizzie Ross a citizen of the Choctow Nation.

Post-office Grantham I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Lizzie Ross, on oath state that I am 41 years of age and a citizen, by Marriage, of the Choctow Nation; that I am the lawful wife of William O Ross, who is a citizen, by Blood, of the Choctow Nation; that a Male (male or female) child was born to me on 5th day of Jannay 1902; that said child has been named Louis Ross, and is now living.

Lizzie Ross

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 28 day of March 1902.

E. J. Humphrey, NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern District,

I, L. B. Miller, an M. D., on oath state that I attended on Mrs. Lizzie Ross, wife of William O. Ross on the 5th day of Jannay, 1902; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Louis Ross

L B Miller M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 28th day of March. 1902.

E J. Humphrey, NOTARY PUBLIC

Muskogee, Indian Territory, May 9, 1900.

Messrs. Brown & Craig,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of May 7th, in which you desire to be informed if Mr. A. Frank Ross, formerly of Hartshorne, and now of Durant, is on the rolls as a Choctaw citizen. You are informed that the records of this Commission show that A. Frank Ross, Jr. sixteen years of age, the son of William [illegible] Ross, was duly listed for enrollment by this Commission as a Choctaw June 14th, 1899, at which time his post office was given as Cartersville, Indian Territory. The members of this family were admitted to Choctaw citizenship by an act of the Choctaw Council of November 7th, 1888. This is the only party by the name of Frank Ross, listed for enrollment by this Commission as a Choctaw, and is supposed to be the person concerning whom you inquire.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to 7-2671

2671.

Muskogee, Indian Territory, March 22, 1901.

W. T. Ross,

Carterville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant in which you state that you live in the Choctaw Nation and wish to remove to the Chickasaw Nation to take your allotment and desire to be informed if such a change will necessitate a change in your enrollment.

Replying to your letter you are informed that the records of this Commission show that you are duly listed for enrollment as a citizen of the Choctaw Nation.

Your attention is invited to Article 5 of the Treaty of June 22nd, 1855 between the Choctaws and Chickasaws and the United States, which is as follows:

"The members of either the Choctaw or Chickasaw Tribe shall have the right, freely, to settle within the jurisdiction of the other, and shall thereupon be entitled to all the rights, privileges, and immunities thereof."

Yours truly,

Acting Chairman.

7-2671

7-2671.

Muskogee, Indian Territory, April 2, 1902.

William T. Ross,

Grantham, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of 30th ultimo enclosing the application for enrollment as a citizen of the Choctaw Nation of Louis Ross, the infant son of William T., and Lizzie Ross, born January 8, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

In reply to your inquiry relative to the enrollment of your minor child, Dwight Moody Ross, you are informed that our records show that Dwight M. Ross, ten months old, minor child of William T., and Lizzie Ross, was listed for enrollment as a citizen of the Choctaw Nation on June 14, 1899, and his name appears upon Choctaw roll, card number 2671.

Yours truly,

Commissioner in Charge.

7--2671.

Muskogee, Indian Territory, April 2, 1902.

William T. Ross,

Grantham, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 30th ultimo, enclosing the application for enrollment as a citizen of the Choctaw Nation of Louis Ross, infant son of William T., and Lizzie Ross, born January 5, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

In reply to your inquiry relative to the enrollment of your minor child, Dwight Moody Ross, you are informed that our records show that Dwight M. Ross, ten months old, minor child of William T., and Lizzie Ross, was listed for enrollment as a citizen of the Choctaw Nation, June 14, 1899.

Yours truly,

Commissioner in Charge.

Choctaw 2621

Muskogee, Indian Territory, May 29,1902.

William T. Ross,

Grantham, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty sixth instant to the United States Indian Inspector, Muskogee, Indian Territory, and which has been by him referred to this Commission for appropriate action. Therein you state that you and your family are citizens by blood of the Choctaw Nation who have recently removed to the Chickasaw Nation and desire to take your allotment in the Chickasaw Nation. You complain that you are unable to obtain allotments for yourself and your family in the Chickasaw Nation as nearly all the lands are held by a few citizens; and inconclusion you desire to be informed as to what action you should take to secure your pro rata share of the lands of the Chickasaw Nation.

Replying to your communication you are advised that the Commission cannot at this time receive, consider or make any record of controversies arising between citizens of the Choctaw and Chickasaw Nations relative to the possession of any tracts of land in the Choctaw-Chickasaw country. Matters of this character will receive the attention of the Commission upon the establishment of an allotment

office in the Choctaw-Chickasaw country for the purpose of allowing the citizens of those two nations to make selection of and file upon their prospective allotments.

If you have knowledge of any citizens of the Choctaw or Chickasaw Nation who are holding more than their pro rata share of the lands to which they would be entitled in final allotment, the matter should be brought to the attention of the United States District Attorney for the district in which such lands are located, for such action as he may deem advisable under the following sections of the act of Congress of June 28, 1898:

"Sec. 17. That it shall be unlawful for any citizen of any one of said tribes to inclose or in any manner, by himself or through another, directly or indirectly, to hold possession of any greater amount of lands or other property belonging to any such nation or tribe than that which would be his approximate share of the lands belonging to such nation or tribe and that of his wife and his minor children as per allotment herein provided; and any person found in such possession of lands or other property in excess of his share and that of his family, as aforesaid, or having the same in any manner inclosed, at the expiration of nine months after the passage of this Act, shall be deemed guilty of a misdemeanor.

Sec. 18. That any person convicted of violating any of the provisions of sections sixteen and seventeen of this Act shall be deemed guilty of a misdemeanor and punished by a fine of not less than one hundred dollars, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every two dollars of said fine and costs), and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States district attorneys in said Territory are required to see that the provisions of said sections are strictly enforced and they shall at once proceed to dispossess all persons of such excessive holdings of lands and to prosecute them for so unlawfully holding the same."

Yours truly,

Commissioner in Charge.

Choctaw 2671

Muskogee, Indian Territory, June 4, 1902.

W. T. Ross,

Grantham, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 28, 1902, in which you desire to be informed as to the action necessary for you to take in order to secure for yourself and your family your pro rata share of the lands of the Chickasaw Nation.

The Commission on May 29, 1902, in response to your letter of May 26 to the United States Indian Inspector, wrote you fully in regard to this matter.

The letter of the Indian Inspector of May 27th addressed to you and enclosed in your letter, is returned herewith.

Yours truly,

Acting Chairman.

Enc Y 110

7-2671

Muskogee, Indian Territory, March 22, 1905.

Katie McCarley,

Madill, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 17, 1905, enclosing affidavits of Katie McCarley and J. S. Welch to the birth of Lola McCarley daughter of James and Katie McCarley (Ross), and the same have been filed with our records as an application for the enrollment of said child.

Replying to that portion of your letter in which you ask if you can have land reserved for said child you are advised that no reservation of land can be made for children born subsequent to September 25, 1902, and no allotment selected for such child until their enrollment has been approved by the Secretary of the Interior.

Respectfully,

Chairman.

7-2571

Muskogee, Indian Territory, March 22, 1905.

Katie McCarley,

Madill, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 17, 1905, enclosing affidavits of Katie McCarley and J. S. Welch to the birth of Lola McCarley daughter of James and Katie McCarley (Ross) and the same have been filed with our records as an application for the enrollment of said child.

Replying to that portion of your letter in which you ask if you can have land reserved for said child you are advised that no reservation of land can be made for children born subsequent to September 25, 1902, and no allotment selected for such children until their enrollment has been approved by the Secretary of the Interior.

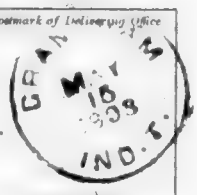
Respectfully,

Chairman.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office



and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

COM. FIVE TRIBES.
MUSKOGEE, IND. TER.

Name of Sender, ...

Street and Number, or Post Office Box. } .....

Post Office at .....

County ..... State .....

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

COM. FIVE TRIBES.
MUSKOGEE, IND. TER.

Name of Sender, ...

Street and Number, or Post Office Box. } .....

Post Office at .....

County ..... State .....

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Grantham I.T. Muskogee, Ind. Ter.

Registered (Letter / Parcel) No. 16737 from _____ (Office of origin.)

Addressed to Lizzie Ross (Name of addressee.)

Date _____ (Date of delivery.) _____, 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Lizzie Ross (Signature or name of addressee.)

Grady Ross (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at So. McAlester I.T. (Delivering office.)

Registered (Letter / Parcel) No. 16818, from Muskogee, Ind. Ter. (Office of origin.)

Addressed to Mansfield McMurray & Cornish (Name of addressee.)

Date _____ (Date of delivery.) _____, 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

MANSFIELD, McMURRAY & CORNISH. (Signature or name of addressee.)

Henry Cabell (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2672 Turner Daniels Choc

2672

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

LOU DANIELS, 7-2672.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

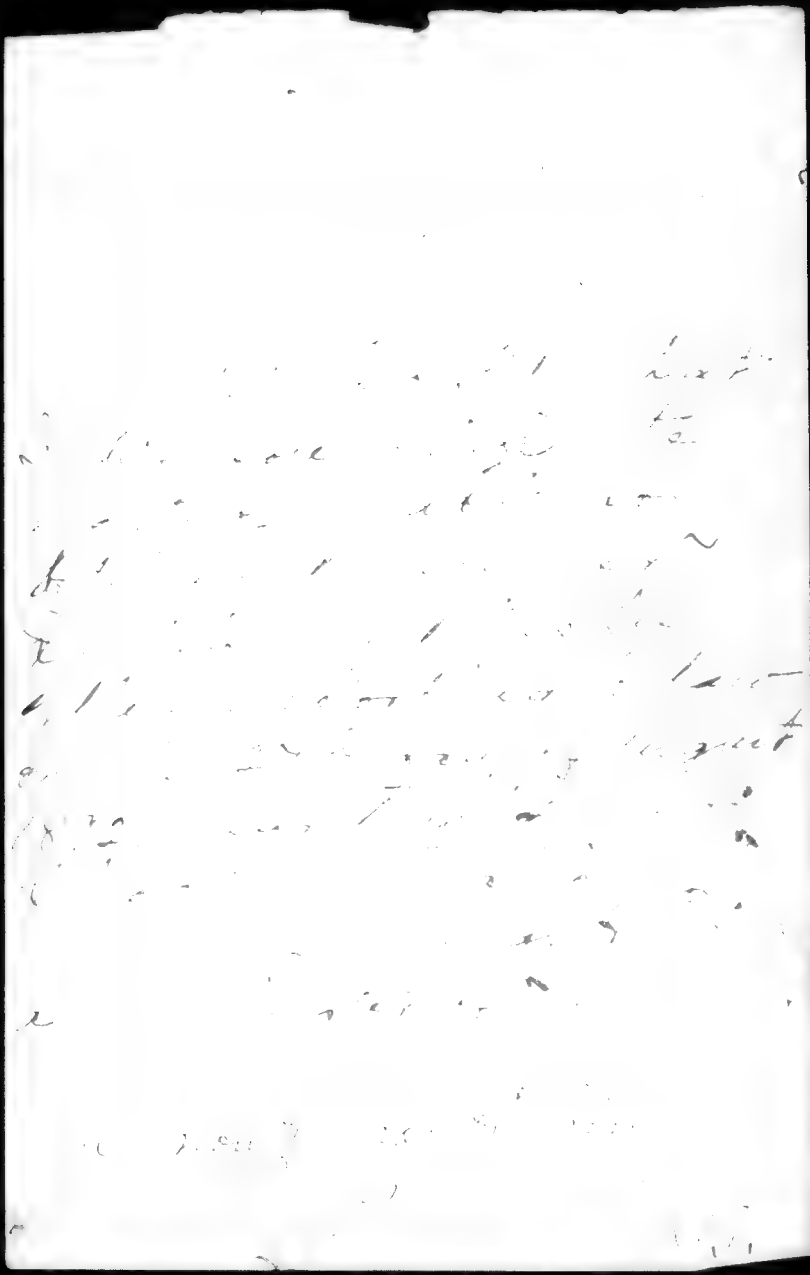
FILED

APR 20 1903

CHAIRMAN.

CHOCTAW

2112



Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In enrollment of Lou Daniels as intermarried Choctaw. Turner Daniels being sworn and examined by Com.McKennon testifies:

Turner Daniels, fifty years old.

Q You are a Choctaw Indian by blood? A Yes sir.

Q Your wife Lou is a white woman? A Yes sir.

Q Were you lawfully married to her? A Yes sir.

Q By whom? A By Parson Thomas H. Prim.

Q In the Choctaw Nation? A Yes sir.

Q About when? A August 26th, 1892.

Q Is she still living? A Yes sir.

Q And with you? A Yes sir.

Q Did he give you a certificate of marriage? A Yes sir.

Q What became of that? A It got misplaced. some way or another.

Q Lost or misplaced? A Yes sir.

------- ---- -- -------

Thomas Foster being sworn and examined testifies:

Q What is your name? A Thomas Foster.

Q How old? A Forty-three about.

Q Are you a citizen of the Choctaw Nation? A I am, by intermarriage.

Q Do you know Turner Daniels? A Yes sir.

Q You know his wife Lou? A Yes sir.

Q He is a Choctaw citizen and she is a white woman? A Yes sir.

Q Were you present at their marriage? A Yes sir.

Q Saw them married? A Yes sir.

Q Who officiated? A Parson Prim, Methodist Minister.

(Lou Daniels, Thomas Foster witness #2)

Q That was in the Choctaw Nation? A Yes sir.

Q About when? A It was in the la tter part of August 1892, I don't remember the exact date.

Department of the Interior,

Commission to the Five Civilized Tribes

[illegible]

M. D. Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. March 11, 1903.

7-2672

In the matter of the application for enrollment of Lou Daniels as an inter-married citizen of the Choctaw Nation.

Lou Daniels being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Lou Daniels.
Q How old are you? A Thirty one.
Q What is your post office address? A Milton.
Q What Nation is that in? A Choctaw Nation.
Q How long have you resided in the Choctaw Nation? A Eleven years.
Q Have you lived here continuously for the past eleven years? A Yes sir
Q Never made your home anywhere else during that time? A No sir.
Q Are you a white w oman? A Yes sir.
Q Do you claim the right to enrollment as an inter married citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim this right? A Turner Daniels.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Turner Daniels? A 1892; August 29.
Q Where was this marriage ceremony performed? A Three miles South of Milton at my home.
Q In the Choctaw Nation? A Yes sir.
Q At that time were both you and your husband living in the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Thomas H. Prim.
Q A minister of the gospel? A Yes sir.
Q Were you married under a license? A No sir.
Q Did you obtain a certificate from this minister of the gospel? A Yes, we did; we lost it.
Q Is he living at the present time? A I don't know; he left our neighborhood about one year after we married.
Q Did you ever try to get another certificate? A No sir; we never tried.
Q Were you ever married previous to your marriage to Turner Daniels? A No sir.
Q Was he ever married previous to his marriage to you? A Yes sir.
Q How many times? A Twice.
Q What were the names of his former wives? A Joe Lilly was his second wife and Susan LeFlore his first.
Q Were both of these women dead at the time of your marriage to him? Yes
Q Since your marriage to Turner Daniels have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q Has there been any separation or divorce of any kind? A No sir, I am farther away from my husband now than I ever was before.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on March 11, 1903, and that this

is a true, full and correct transcript of his stenographic notes in same.

Henry D. Hains

Subscribed and sworn to before me this 17 day of March, 1903.

Charles H. Sawyer

Notary Public.

Affidavits of
J. M. McFerren
Walter McFerren
Thos. Foster
Lena Foster
in proof of
Marriage of
Turner Daniels
to
Lore Allen
Milton, I.T.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
[illegible] 1903

[signature]
CHAIRMAN

Milton, I.T.

2172

Ch. Ch.
Cent. Dist. of
Ind. Ter.

(7-26 IV)

I, Thos Foster of Milton, I.T. on oath state that I am 48 yrs of age, a citizen of the Choctaw Nation, and that I was present at the Marriage of Turner Daniel and Lue Allen on ~~Aug.~~ or about Aug. 27th or 28th 1892 as best I remember, said Marriage occurred at Turner Daniels farm about 4 miles south of Milton, I.T.

I, Lena Foster of Milton, I.T. on oath state that I am 31 yrs of age and that I was present at the Marriage of Turner Daniels and Lue Allen on or about Aug. 27 or 28 1892, said Marriage occurred at Turner Daniels farm about 4 miles south of Milton, I.T. I was then Lena Tucker and was married to Thos Foster 2 or 3 days after [illegible] Turner Daniels and [illegible] were [illegible]

[illegible]

[illegible] and [illegible] before me this 20th day of March [illegible]

[illegible]
[illegible]
Milton, I.T.

My [illegible] 305

U.S.A.
Cent. Dist.
Ind. Ter.

I, J.M. McFerren of Walls, I.T. a citizen of the U.S.A. and of no tribe of Indians on Oath state that I was present at the Marriage of Turner Daniels and Lue Allen by T.H. Prim on Aug. 27, 1892. said Marriage was solemnized on the Turner Daniels' place about 4 miles south of Milton, I.T. [illegible]

[illegible]

I, Walter McFerren of Walls I.T. on oath state that I am 24 yr. of age, a citizen of the U.S.A. and that I was present at the Marriage of Turner Daniels and Lue Allen on Aug. 27, 1892. said marriage occured on Turner Daniels farm about 4 miles south of Milton, I.T.

[illegible]

Subscribed and sworn to before me this 20th day of March [illegible]

[illegible]
Notary Public
Milton, [illegible]

905

7-2672.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lou Daniels as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Lou Daniels (nee Allen) on or about August 27, 1892, was lawfully married to Turner Daniels, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7771 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is therefore the opinion of this Commission that Lou Daniels should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw-2072

COPY.

Muskogee, Indian Territory, July 20, 1903.

Lou Daniels,

Milton, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,
(SIGNED).

T. B. Needles.
Commissioner in Charge.

Registered.

Enc.HG.45

COPY. Choctaw-2672

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Lou Daniels, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. B. Needles

Commissioner in Charge.

Registered.

Enc.MG.46

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD.

Mimie Daniel

As a citizen of the

Choctaw Nation.

Approved JUN 29 1901

C. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 29 1901

ACTING CHAIRMAN.

CHOCTAW

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Mimie Daniels, born on the 6 day of February, 1901.
Name of father: Turner Daniel, a citizen of the Choctaw Nation.
Name of mother: Lue Daniel, a citizen of the Choctaw Nation.
Post Office: Milton Ind. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Ind. T. District.

I, Lue Daniel, on oath, state that I am 30 years of age and a citizen, by ~~blood~~ Marriage, of the Choctaw Nation; that I am the lawful wife of Turner Daniel who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 6 day of February, 1901; that said child has been named Mimie Daniel, and is now living.

Lue Daniel

Subscribed and sworn to before me this 18 day of June, 1901.

C. L. Lee
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Ind. T. District.

I, B.M. Ballenger, a Physician, on oath, state that I attended on Mrs. Lue Daniel's, wife of Turner Daniels on the 6 day of Feb. 1901; that there was born to her on said date a girl child; that said child is now living and is said to have been named Mimie Daniels.

B.M. Ballenger M.D.

Subscribed and sworn to before me this 26 day of June, 1901.

Notary Public.

Com. Exp. [illegible]

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Mattie Daniel

as a citizen of the

Choctaw Nation.

Approved JUN 29 1901 190

C. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 29 1901

ACTING CHAIRMAN.

CHOCTAW.

2672

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Mattie Daniels (Here insert name of child), born on the 6 day of Feb, 1901

Name of Father: Turner Daniel, a citizen of the Choctaw Nation.

Name of Mother: Lee Daniel, a citizen of the Choctaw Nation.

Twin 2 Post-office, Tuskahoma, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, (INDIAN TERRITORY) Central District.

I, Lee Daniel, on oath state that I am 30 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Turner Daniel, who is a citizen, by blood, of the Choctaw Nation; that a girl (male or female) child was born to me on the 6 day of February 1901; that said child has been named Mattie Daniel, and is now living.

Lee Daniel

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of June 1901.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY) Central District.

I, W. M. Ballenger, a Physician, on oath state that I attended on Mrs. Lee Daniel, wife of Turner Daniels, on the 6 day of February, 1901; that there was born to her on said date a girl (male or female) child; that said child is now living and is said to have been named Mattie Daniels

W. M. Ballenger M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 20 day of June, 1901.

NOTARY PUBLIC

2672

IN RE

Application for Enrollment of

INFANT CHILD.

Lottie Daniels

As a citizen of the

Choctaw Nation.

Approved Oct 6 1899

Commissioner.

1-2672

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Tottie Daniels, born on the 25 day of July, 1899.

Name of father: Turner Daniels, a citizen of the Choctaw Nation.

Name of mother: Tue Daniels, a citizen of the Choctaw Nation.

Post Office: Milton, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Tue Daniels, on oath, state that I am 27 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Turner Daniels who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 25 day of July, 1899; that said child has been named Tottie, and is now living.

Tue Daniels

Subscribed and sworn to before me this 13 day of September, 1899.

L. E. Lewis
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucindia E Adams, a Nurse, on oath, state that I attended on Mrs. Turner Daniels, wife of Turner Daniels on the 25 day of July, 1899; that there was born to her on said date a girl child; that said child is now living and is said to have been named Tottie Daniels.

Lucinda E. Adams

Subscribed and sworn to before me this 13 day of Sept. 1899

L. E. Lewis
Notary Public.

Comm. Exp. April 1901

Milton, Ind. Ter.

Muskogee, Indian Territory, June 29, 1901.

Mr. Turner Daniels,

Milton, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Mattie Daniels, the infant daughter of Turner and Lue Daniels, born February 6, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of an application for enrollment as a citizen of the Choctaw Nation of Minnie Daniels, the infant daughter of Turner and Lue Daniels, born February 6, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-2672

Commissioner in Charge.

MoM

Choctaw - 2672.

Muskogee, Indian Territory, February 27, 1903.

Lou Daniels,

Milton, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides as follows:

> "No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

7-2672.

Muskogee, Indian Territory, March 27, 1903.

Turner Daniels,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th inst., enclosing affidavits of Thomas and Sena Foster and J.M. and Walter McFerron relative to the marriage between yourself and Lue Allen; and the same have been duly filed with the records of the Commission in the matter of her application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

7-3672.

Muskogee, Indian Territory, April 21, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby notified that the following notation has this day been made upon the original Choctaw enrollment card, number 3672:

"Certificate of marriage between Nos. 1 and 2 filed April 20, 1903."

You are therefore directed to make notation upon the duplicate card in your possession, in accordance with this information.

Respectfully,

7-2672.

Muskogee, Indian Territory, April 21, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified that the following notation has this day been made upon original Choctaw enrollment card, number 2672:

"Certificate of marriage between Nos. 1 and 2 filed April 20, 1903."

You are therefore directed to make like notation upon the duplicate card in your possession, in accordance with this information.

Respectfully,

7-2672.

Muskogee, Indian Territory, April 21, 1903.

Turner Daniels,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th inst., enclosing the certificate of marriage between Turner Daniels and Lue Allen dated August 27, 1892; and the same has been been duly filed with the records of the Commission in the matter of the application for enrollment of Lou Daniels as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

7-2672

Muskogee, Indian Territory, May 22, 1906.

Turner Daniels,

Stuart, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mrs. Lue Daniels and Katie Newton to the birth of Robert E. Lee Daniels, son of Turner and Lue Daniels, May 10, 1905, and the same have been filed with the records of this office as an application for the enrollment of said child.

Respectfully,

Acting Commissioner.

Choctaw 2672

Muskogee, Indian Territory, January 5, 1904.

Mrs. Lue Daniels,

Stuart, Indian Territory,

Dear Madam:

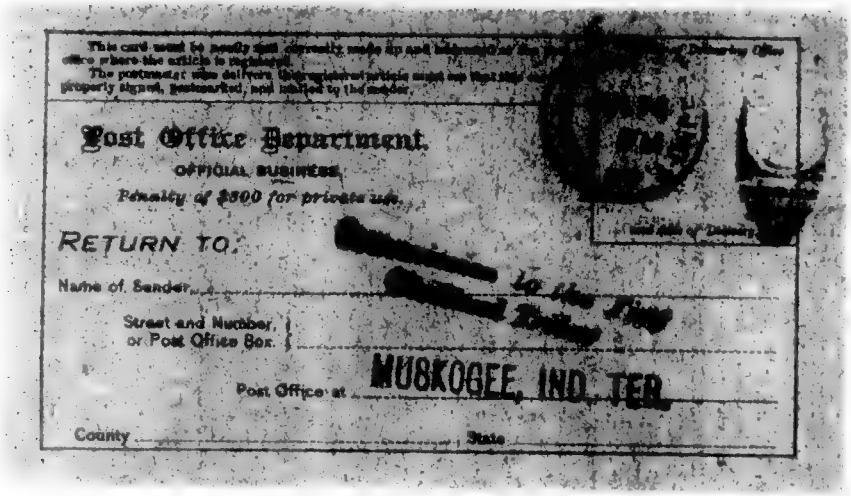
Receipt is hereby acknowledged of your letter of December 31, 1903, stating that your post office is now Stuart, Indian Territory, and asking if you can file on your land.

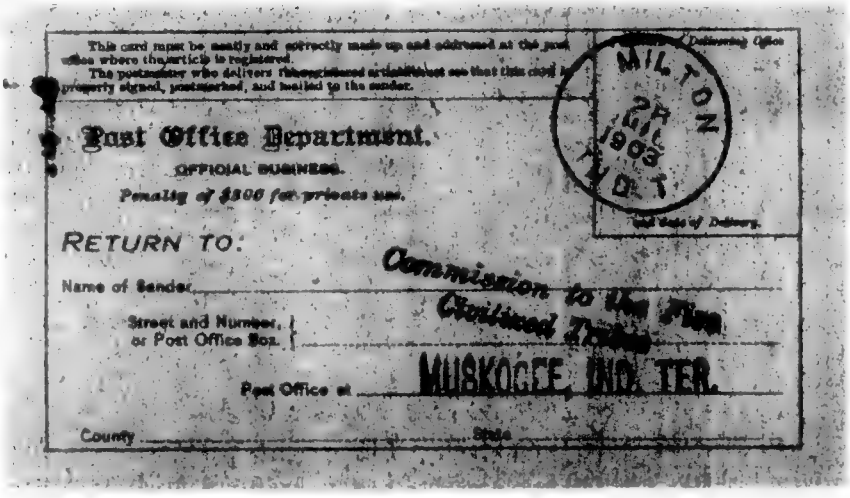
In reply to your letter you are advised that you have been enrolled as an intermarried citizen of the Choctaw Nation and your enrollment as such has been approved by the Secretary of the Interior. You would, therefore, be permitted to make selection of your allotment upon your appearance at the land office for the nation in which your land is located.

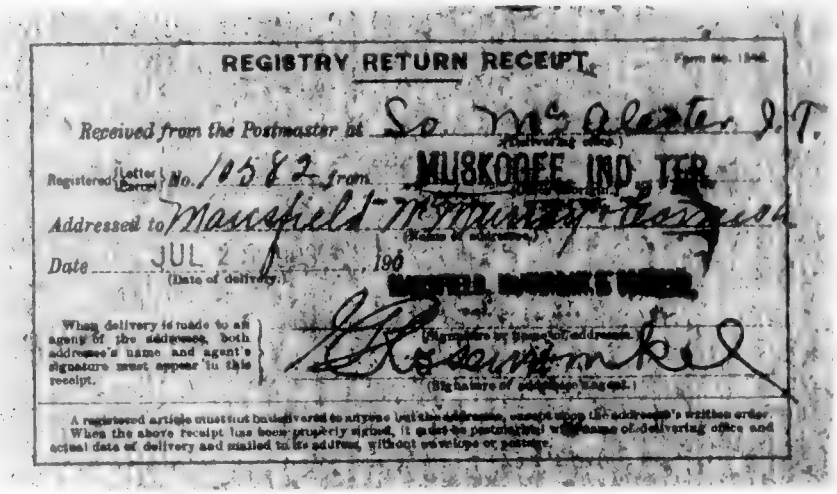
Your change of post office has been made a matter of record.

Respectfully,

Chairman.


Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.
RETURN TO:
Name of Sender,
Street and Number, or Post Office Box.
Post Office at MUSKOGEE, IND. TER.
County
State
To the Five Civilized Tribes


Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.
RETURN TO:
Name of Sender,
Commission to the Five Civilized Tribes
Street and Number, or Post Office Box.
Post Office at MUSKOGEE, IND. TER.
County
State
MILTON
1903
I. T.



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at So. McAlester I.T.
(Delivering office.)

Registered {Letter / Parcel} No. 10582 from MUSKOGEE IND. TER.
(Office of origin.)

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

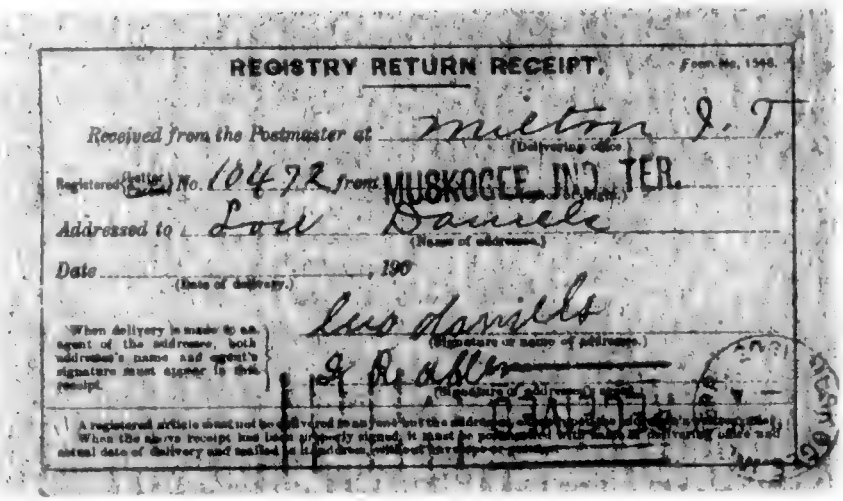
Date JUL 2 [illegible], 190
(Date of delivery.)

[illegible]
(Signature or name of addressee.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

G. Rosenwinkel
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Milton I.T.
(Delivering office.)

Registered {Letter / Parcel} No. 10472 from MUSKOGEE IND. TER.
(Office of origin.)

Addressed to Lou Daniels
(Name of addressee.)

Date _____, 190
(Date of delivery.)

Lou Daniels
(Signature or name of addressee.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

J. R. Allen
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2673 James Kelly choc

2673

S W J

explain for.
Hon Dawes Commission

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 22 1902

ACTING CHAIRMAN.

2673

The Choctaw Nation } April 2 2nd
Scullyville County } A D 1903

To the Hon Dawes Commission
to the five Civilized Tribes
Muskogee Ind.

Sir

I will explain before you
and let you know about from me &c

1st Choctaw Commission enrolled
James Kelly and wife Lucy Kelly
On the 6 day of Oct 1896

2nd & James Kelly and wife
Lucy Kelly Sapplat Jany 11 1900
in Scullyville County C N

3rd

Lucy Kelly Petition for Divorce
V. S. James Kelly April 1901
under the Choctaw Court
Before A J. Holson Circuit
Judge 1st Judicial Circuit
Choctaw Nation in Red Oak Pt.
S W James Def Atty
and A J Holson Grant
her Petition and Given
Divorce &c

Your Respectfully
S W. James
def. Atty.

(P.S.)

1st Mrs Lucy Kelly and just
now John Jannecco married
Mrs Lucy Jannecco [illegible] get
the name &c

S W J

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 22 1902

ACTING CHAIRMAN.

2673

Be it remembered that the Circuit Court for the First Judicial District Choctaw Nation, met at the Court Grounds of said District at Red Oak I.T. at its April Special Term on the 22d day of April 1901. at 9 Oclock A.M. with Honorable Neil J. Holson present and presiding, Charles T. Perry Sheriff and James Culberson Circuit Clerk. All being present, Court was solemnly proclaimed to be in session by said Sheriff Amoung other things the following business was had to wit:-

Thursday Morning April 25th 1901

Cause No. 354

Lucy Kelly
vs. Divorce
James Kelly.

This case taken up, on motion of Plaintiffs Attorney Silas James and after having heard the evidence in the premises. The Court grants an order for absolute Divorce from the Bonds of Matrimony hereto fore existing between Plaintiff and Defendant. Given under my hand and seal of Office this the 25th day of April 1901

Attest
James Culberson
N. J. Holson
Presiding Judge

I hereby certify that the above and foregoing order of Court is a true and correct copy of the Record now on file in my Office. This the 21st day of April 1902

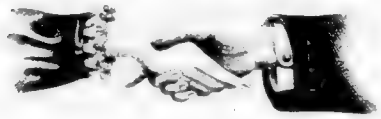
T. J. Sexton
Circuit Clerk

THIS CERTIFIES
THAT

AND

WERE UNITED IN

Holy Matrimony



According to the Ordinance of God and the Laws of the

of

on the day of in the year of

OUR LORD One Thousand Hundred and

WITNESS

GEO. D. BARNARD & CO. ST. LOUIS MO.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TR
FILED
DEC 23 1902

7-2678

THIS CERTIFIES
THAT

AND

WERE UNITED IN

Holy Matrimony

According to the Ordinance of God and the Laws of the
of
on the day of in the year of
OUR LORD one Thousand Hundred and

Witnesses

GEO. O. BARNARD & CO. ST. LOUIS, MO.

IN RE

Application for Enrollment of

INFANT CHILD.

Adeline Kelly

As a citizen of the

Choctaw Nation.

Approved June 16 1819

Commissioner.

Roll # 83

7-2673

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Adeline Kelly, born on the 31st day of August, 1898.

Name of father: James Kelly, a citizen of the Choctaw Nation.

Name of mother: Lucy Kelly, a citizen of the Choctaw Nation.

Post Office: Shady Point I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucy Kelly, on oath, state that I am 16 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of James Kelly who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on the 31st day of August, 1898; that said child has been named Adeline Kelly, and is now living.

Witness F. N. Riddell

her
Lucy X Kelly
mark

Subscribed and sworn to before me this 14th day of Sept, 1899

Notary Public.
Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, , a , on oath, state that I attended on Mrs. , wife of on the day of , 1 ; that there was born to her on said date a child; that said child is now living and is said to have been named .

Subscribed and sworn to before me this day of , 1 .

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD

Josephine Jumeeco

as a citizen of

Choctaw Nation.

Approved, April 22 1902 1902

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 22 1902

ACTING CHAIRMAN.

2673

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Josephine Jannecco (Here insert name of child), born on the 22 day of ~~May, April~~ May, 1901

Name of Father: John Jannecco, a citizen of the Choctaw Nation.

Name of Mother: Lucy Jannecco, a citizen of the Choctaw Nation.

Post-office, Panama, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucy Jannecco, on oath state that I am 22 years of age and a citizen, by blud, of the Choctaw Nation; that I am the lawful wife of John Jannecco, who is a citizen, by blud, of the Choctaw Nation, that a female (male or female) child was born to me on the 22 day of May 1901; that said child has been named Josephine Jannecco, and is now living.

Lucy her x mark Jannecco

WITNESSES TO MARK
(Must be Two Witnesses) ~~Nicy her x mark Holotty~~
Lorine her x mark Cobb.

Subscribed and sworn to before me this 22 *day of* April 1902.

J. K. Allen NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nicy ~~Hon~~ Honlotty, a Midwife, on oath state that I attended on Mrs. Lucy Jannecco, wife of John Jannecco, on the 22 day of May, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Josephine Jannecco.

Nicy Honlotty

WITNESSES TO MARK
(Must be Two Witnesses) Lorine her x mark Cobb
John Allen

Subscribed and sworn to before me this 21 *day of* April 1902.

J. K. Allen NOTARY PUBLIC

154

20

IN RE

Application for Enrollment of

INFANT CHILD.

Gilbert Kelly

As a citizen of the

Dawson Nation.

Approved DEC 13 1899 1

A S McKennon

Commissioner.

265,3

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Tahlequah, born on the 15 day of July, 1894.

Name of father: James Kelly, a citizen of the Cherokee Nation.

Name of mother: Lucy Kelly, a citizen of the Cherokee Nation.

Post Office: Tahlequah, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lucy Kelly, on oath, state that I am 17 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of James Kelly who is a citizen, by blood, of the Cherokee Nation; that a boy child was born to me on the 15 day of July, 1894; that said child has been named Gilbert, and is now living.

Lucy E. Kelly.

Subscribed and sworn to before me this 7 day of Oct, 1894.

[illegible] Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sarah Jones, a Cherokee, on oath, state that I attended on Mrs. Lucy Kelly, wife of James Kelly on the 15 day of July, 1894, that there was born to her on said date a Boy child; that said child is now living and is said to have been named Gilbert.

Sarah E. Jones

Subscribed and sworn to before me this 7 day of Oct, 1894.

[illegible] Notary Public.

Commission of Five Tribes

7-2666
7-2673

Muskogee, Indian Territory, April 24, 1902.

S. W. James,

Attorney at Law,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Josephene Johnico, infant daughter of John and Lucy Johnico, born May 23, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of a certified copy of the divorce proceedings between Lucy and James Kelly; also statement as to the marriage of Lucy Kelly to John Johnico, and the same have been duly filed with the records of the Commission in the matter of the application for enrollment of the above named child.

Yours truly,

Commissioner in Charge.

7-2673

Muskogee, Indian Territory, July 20, 1903.

Lucy Jannecco,

Shady Point, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 16, asking the status of the enrollment of Gilbert Wade Kelley, son of James Kelley and Lucy Kelley, now Jannecco.

In reply to your letter you are informed that it appears from our records that Gilbert Kelly, son of James Kelly and Lucy Johnico, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on January 17, 1903, his enrollment was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-2673

Muskogee, Indian Territory, July 28, 1904.

John Johnice,

Pawnee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 22, advising of the death of your wife, Lucy Johnice, and her son, Gilbert Kelly, and asking for blanks for the purpose of making proof of their death.

In compliance with your request, there are enclosed herewith two blanks for proof of death. In having the same executed, be careful to see that all blanks are properly filled, all names written in full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two witnesses.

Respectfully,

2 D.C.

Commissioner in Charge.

7-2673

Muskogee, Indian Territory, August 12, 1904.

John Johnico,

Panama, Indian Territory.

Dear Sir :-

Receipt is hereby acknowledged of your affidavits relative to the death of your wife, Lucy Johnico, a citizen by blood of the Choctaw Nation, which occurred July 24, 1904; also, of your affidavits relative to the death of your step-son, Gilbert Kelly, a citizen by blood of the Choctaw Nation, which occurred November 19, 1903; and the same have been duly filed with our records as evidence of the death of the above named persons.

Respectfully,

Commissioner in Charge.

2674 mary Bohanan choc

2674

7-9674.

Muskogee, Indian Territory, February 20, 1903.

Mary Bohanan,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of the marriage license and certificate of Caleb Cox and Mary Bohanan dated May 31, 1902. No letter accompanied the certificate of marriage, but it is presumed that the same has been forwarded to this office for the purpose of having your name changed upon our records from Mary Bohanan to Mary Cox.

Under the authority vested by the act of Congress approved July 1, 1902, (32 Stats., 641) the Commission on November 18, 1902, enrolled Mary Bohanan as a citizen by blood of the Choctaw Nation, which enrollment was approved by the Secretary of the Interior January 17, 1903.

The approval of the enrollment of Mary Bohanan is final, and the Commission cannot now make any change in her name; and allotment of land and distribution of other tribal property will be made to her under the name of Mary Bohanan.

M B 2

The certificate of marriage is therefore returned to you herewith.

Respectfully,

Acting Chairman.

Enc B I 22-31.

Choctaw 2674

Muskogee, Indian Territory, November 5, 1903.

Cale Cox,

Poteau, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 28, relative to the enrollment of your wife, Mary Bohanan, and you are informed that the information contained therein has enabled the Commission to identify her upon its records as Mary Bohanan, daughter of Lyman and Sarah Bohanan and half sister of Dennis, Luther and Lyman Bohanan.

It further appears from our records that she has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and on January 17, 1903 her enrollment was approved by the Secretary of the Interior.

Respectfully,

Chairman.

7-2674

Muskogee, Indian Territory, April 8, 1905.

Caleb Cox,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mary Cox and Elizabeth Franklin to the birth of Roland Cox, son of Caleb and Mary Cox, July 21, 1903, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Commissioner in Charge.

7-2674

Muskogee, Indian Territory, July 10, 1906.

Rosser & Verner,

Poteau, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of June 15, 1906, transmitting the affidavit of Mary Cox and the information contained therein has enabled this office to identify her as an enrolled citizen by blood of the Choctaw Nation under the name of Mary Bohanon, and the affidavits heretofore forwarded to the birth of her child, Caleb Cox have been filed as an application for his enrollment.

Respectfully,

Commissioner.

2675 George L. Smith

choc

2675

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

MARY E. SMITH, 7-2675.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 18th, 1902.

Choctaw 2675
Intermarried

--------oOo---------

In the matter of the application of MarybE. Smith for enrollment as an intermarried citizen of the Choctaw Nation.

Mary E. Smith being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Mary E. Smith.
Q How old are you? A Twenty-seven years old.
Q What is your post office address? A Cowlington, Indian Territory.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A Fifteen years.
Q Have you lived here continuously for the past fifteenyears?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A George L. Smith.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to George L. Smith? A May 10, '94.
Q Where was this marriage ceremony performed? A In Sebastain county, Arkansas.
Q At that time were you living in the state of Arkansas? A No sir
Q Living in the Choctaw Nation? A Yes sir.
Q Your husband was also a resident of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the laws of the state of Arkansas? A Yes sir, license.
Q Were you ever married previous to your marriage to George L. Smith? A No sir.
Q Was he ever married previous to his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you then apply as an intermarried citizen? A Yes sir.
Q What action was taken upon your application at that time? A It was granted.
Q Was your case ever appealed to the United States Court? A No sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles K. Lawyer
Notary Public.

7-2675

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary E. Smith as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the census card record in this case that Mary E. Smith (nee Alexander) appeared before the Commission at Spiro, Indian Territory, June 14, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Wister, Indian Territory, December 13, 1902.

It further appears from the records of the Commission that on September 5, 1896, in the case entitled, "Mary E. Smith, et al., vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 840), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with George L. Smith, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 4, 1896, the said Mary E. Smith was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Mary E. Smith should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

ER.

ER.

ER.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw-2675

Muskogee, Indian Territory, July 20, 1903.

Mary E. Smith,

Cowlington, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc.HG.33

Choctaw-2675

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Mary E. Smith, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc.HG.34

Bill No. 28

Tushkahumma, C. N., October 11th, 1886.

To the General Council:

Your Committee on citizenship, to whom was referred the application of H. R. Smith, would most respectfully recommend the adoption of the following act:

An Act to Establish the Citizenship of H. R. Smith and Family.

Be it enacted by the General Council of the Choctaw Nation assembled: That H. R. Smith, and his children named as follows: Freeman, George, Henry, Hill and Elmo, are hereby declared to be citizens of the Choctaw Nation, and entitled to all the rights and privileges as such, and this Act shall take effect and be in force from and after its passage.

Nelson McCoy,
Chairman Com. on Citizenship

Approved October 26th, 1886.

T. McKinney,
Principal Chief, Choctaw Nation.

Calvin, I. T., August 9th, 1899.

A true copy of the Act as printed in the Acts of Council at the Regular Session of 1886, here exhibited.

A. S. McKennon
Commissioner.

IN RE

Application for Enrollment of

INFANT CHILD.

Ora G. Smith

As a citizen of the

Choctaw Nation.

Approved June 22, 1899

Commissioner.

Card No 2675

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Ora E. Smith, born on the 23d day of November, 1898

Name of father: George L. Smith, a citizen of the Choctaw Nation.

Name of mother: Mary E. Smith, a citizen of the Choctaw by intermarriage Nation.

Post Office:

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary E. Smith, on oath, state that I am 24 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of George L. Smith who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on the 23d day of November, 1898; that said child has been named Ora G. Smith, and is now living.

Mary E. Smith

Subscribed and sworn to before me this 14th day of July, 1899.

[signature]
Notary Public.

Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J. W. St. Clair, a Physician on oath, state that I attended on Mrs. Mary E. Smith wife of George L. Smith on the 23rd day of November 1898; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Ora G. Smith

Dr J W St Clair

Subscribed and sworn to before me this 15th day of June, 1899.

[signature]
Notary Public.

7-2675

Muskogee, Indian Territory, June 9, 1906.

James N. Wilkerson,

Attorney at Law,

Sulphur, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 28, 1906, stating that evidence of the marriage between yourself and Neal[illegible] Ward was filed in the matter of the application for the enrollment of your minor child Ola Ward about a year ago.

You are advised that it will not be necessary for you to procure further evidence of your marriage.

Respectfully,

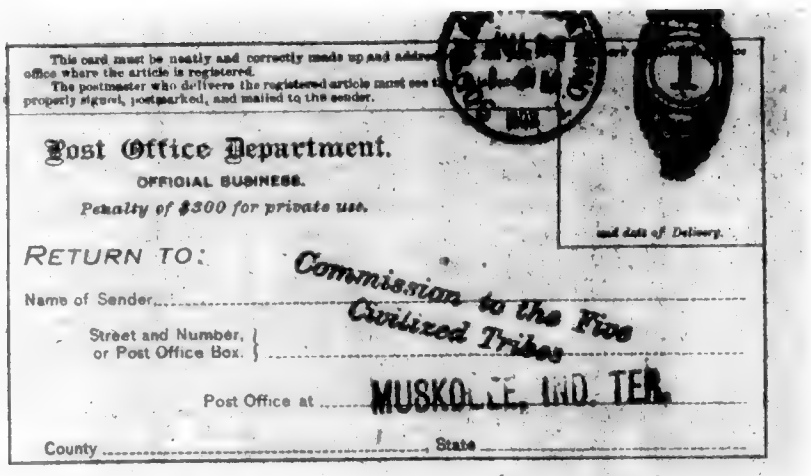
Commissioner.

Register to

Mary E. Smith,

Cowlington, I. T.

and return to Choctaw-2575



This card must be neatly and correctly made up and addre[illegible] office where the article is registered.

The postmaster who delivers the registered article must see t[illegible] properly signed, postmarked, and mailed to the sender.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

and date of Delivery.

RETURN TO:

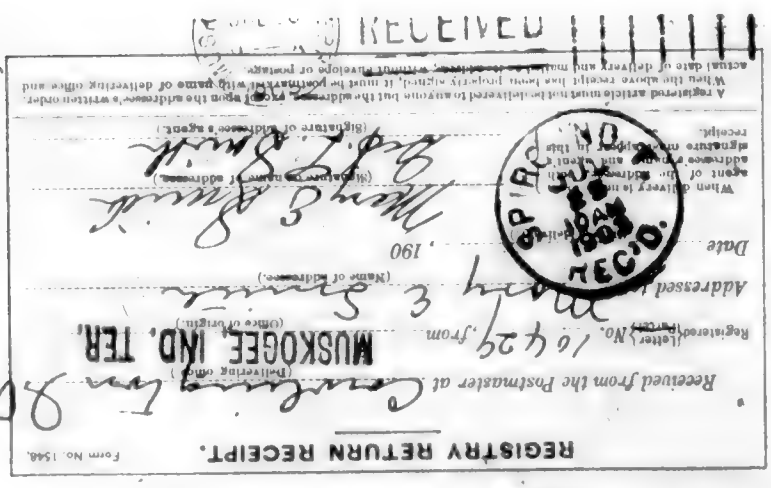
Name of Sender Commission to the Five Civilized Tribes

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County State

RECEIVED



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Carlington Ct. (Delivering office)

Registered (Letter / Parcel) No. 10429, *from* MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Mary E. Smith (Name of addressee.)

Date , 190

When delivery is made to the agent of the addressee, with addressee's name and agent's signature must appear in this receipt.

Mary E. Smith (Signature of name of addressee.)

J. E. Smith (Signature of addressee's agent.)

SPIRO NO. JUN 25 1903 REC'D.

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the addressee, without envelope or postage.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

This card must be neatly and correctly made up and addressed [illegible] office where the article is registered.

The postmaster who delivers the registered article must see that it is properly signed, postmarked, and mailed to the sender.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

and date of Delivery.

RETURN TO: Commission to the Five Civilized Tribes

Name of Sender .....

Street and Number, or Post Office Box. .....

Post Office at MUSKOGEE, IND. TER.

County ....., State .....

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Coweling Ton I.T.
(Delivering office.)

Registered (Letter / Parcel) *No.* 10429 *from* MUSKOGEE, IND. TER.
(Office of origin.)

Addressed to Mary E Smith
(Name of addressee.)

Date ..... *, 190*

Mary E Smith
(Signature or name of addressee.)

Geo. L. Smith
(Signature of addressee's agent.)

When delivery is made to the addressee's agent, only the addressee's name and agent's signature need appear on this receipt.

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the sender, without envelope or postage.

RECEIVED

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Sa. McAlester
(Delivering office.)

Registered (Letter / Parcel) No. 10573 from MUSKOGEE, IND. TER.
(Office of origin.)

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

Date ..... 190 MANSFIELD, [redacted] & CORNISH.
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

COWLINGTON JUL 24 1903 IND. T.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO: "Commission to the Five Civilized Tribes"

Name of Sender .....

Street and Number, or Post Office Box .....

Post Office at MUSKOGEE, IND. TER.

County ..... State .....

2676 Jesse Riddle Choc

2676

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

- - - o - - -

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

FANNIE RIDDLE. 7-2676

- o -

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, Indian Territory, December 16th, 1902.

Choctaw 2670.
Intermarried.

In the matter of the application of Fannie Riddle for enrollment as an intermarried citizen of the Choctaw Nation.

Fannie Riddle, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Fannie Riddle.
Q How old are you? A Fifty seven.
Q What is your post office address? A Cameron, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A I have been a resident of the Choctaw Nation---I have lived in the Choctaw Nation ever since peace was made in 1867.
Q Never made your home anywhere else since that time? A No sir, I was in the Chickasaw Nation a little while, but made my home always in the Choctaw Nation.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Jesse Riddle.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A Never.
Q When were you married to Jesse Riddle? A I disremember just the date, we have been married now about twenty five years; we was married on June 15, as well as I remember.
Q Where was the marriage ceremony performed? A Down close to the old Fort Smith road we were first married.
Q In the Choctaw Nation? A Yes sir.
Q Who married you? A It was a man by the name of Baker he was said to be a preacher.
Q Did you obtain a marriage license A No sir, we married before these marriage licenses came in.
Q Were you ever married previous to your marriage to Jesse Riddle?
Q Yes sir, I was, but I was not lawfully married; I was married but I was married before the law to recognize after peace was made.
Q Who were you married to the first time? A Franklin.
Q A white man? A No sir, Cherokee.
Q Where did you marry him? A In the Cherokee Nation.
Q Who married you to him? A I don't know the man's name; he was a stranger to me; Franklin died.
Q When did Franklin die? A In 1867
Q He died before your marriage to Mr Riddle? A Yes sir.
Q Was Jesse Riddle ever married before his marriage to you? A Yes sir, I suppose he was.
Q Do you know the name of his former wife? A I don't know that I do, he has told me her name, but I don't remember.
Q Was she dead at the time of your marriage to him? A No she was not dead.
Q They were separated? A Yes sir.
Q Had they ever been divorced? A I couldn't tell you about that; I suppose they were.
Q You don't know anything about that? A No sir, I was not acquainted with him when he lived with her.

Fannie Riddle-----2.

Q Did you remarry Jesse Riddle? A Yes sir.
Q What was the date of your second marriage to him ? A I coulon't tell you, we was married over about Skullyville the time of the registration by Mr Garland.
Q Who is Mr Garland? A He was a judge.
Q Were you married under a license the second time? A Yes sir
Q Choctaw license? A Yes sir, I suppose so.
Q Was there any separation between you and your husband between the first and sedons marriages? A No sir.
Q Since your first marriage to Jesse Riddle have you lived together continuously as husband and wife up to the present time? A Yes sir
Q There has been no separation of any kind whatsoever? A No sir
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q What was the reason of this second marriage between Mr Riddle and yourself? A The reason was they said that was the law. We had no certificate and we just thought that marrying over would be more lawful, and the people who had seen us married were all dead and the preacher was dead, and we couldn't get no papers, and we had lost the certificate.

Jesse Riddle, called as a witness, having been first duly sworn, upon his oath testifies as fol/ows:

Examination by the Commission:

Q What is your name? A Jesse Riddle.
Q How old are you? A Going on fifty eight.
Q What is your post office address? A Cameron, Indian Territory.
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A I have been living here ever since I have been born right in the Choctaw Nation.
Q What is the name of your present wife? A Fannie George.
Q When were you married to her the first time? A About twenty four years ago or twenty five, somewhere along there.
Q Where was the marriage ceremony performed? A Right there close to the line of Arkansas.
Q Were you ever married before your marriage to her? A Yes sir married to a girl by name of Narcisse Charley--a Choctaw girl.
Q When were you married to this Choctaw girl? A In 1866.
Q How long did you live with her? A I lived with her five or six years.
Q At the end of that time did you separate or did she die? A We separated.
Q Were you divorced? A No sir, never got no divorce, she did though.
Q Where did she get this divorce? A At Skullyville countyl at the court house there.
Q How long did this woman live? A She lived I reckon ten or fifteen years after that.
Q Do you know when she died? A No I don't, she married a man by the name of Frazier.
Q You don't know how long ago her death occurred? A No sir.
Q Do you know whether she is dead now? A Yes sir, she is dead.
Q About how long has she been dead? A I think she has been dead ten or fifteen years, may be longer.

---oOo---

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to,the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 16th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to before me this 22 day of January 1903.

Chas. H. Sawyer

Notary Public.

Recorded in the Record's
of Skullyville County.
In Book No. 2.
Page. 5o. This the 13
day of June, A. D. 1899.,

L. C. Moore
.....
Clerk of the Court's of
Skullyville. County C. - N.,

Oak Ridge, I. T. 189

M

BOUGHT OF I. ISAACSON

...DEALER IN...

General Merchandise

AND COTTON BUYER

This is to certify that I have this day joined in the Holy Bond of Matrimony Mr Jesse Riddle Choctaw Indian and Miss Fannie George In according to the laws of the Choctaw Nation

Given under my hand this the 13th. day of June A.D. 1899.

Joseph Garland
Supreme Judge
1st Judicial District
Choctaw Nation

7-2676

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

- - - o - - -

In the matter of the application for the enrollment of Fannie Riddle as a citizen by intermarriage of the Choctaw Nation.

-: D E C I S I O N :-

It appears from the record herein that Fannie Riddle, (nee George), on June 13, 1899, was lawfully married to Jesse Riddle, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 7790 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Fannie Riddle should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

OCT 15 1904

Commissioner.

7-2676.

COPY.

Muskogee, Indian Territory, October 15, 1904.

Fannie Riddle,

Cameron, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Chairman.

Register.

Encl. 7-2676.

COPY.

7-2676.

Muskogee, Indian Territory, October 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of Fannie Riddle as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Chairman.

Register.

Encl. 7-2676.

For registry receipt see 7-D-447.

Choctaw-2676

Muskogee, Indian Territory, January 18, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of January 13, 1904, asking the status of the enrollment of Fannie Riddle, wife of Jesse W. Riddle.

In reply to your letter you are informed that Fannie Riddle, wife of Jesse Riddle, has been listed for enrollment as an intermarried citizen of the Choctaw Nation and her name appears upon Choctaw roll card, field number 2676, but her final right to such enrollment has not yet been determined.

As soon as a decision is reached in this case, you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Choctaw 2676

Muskogee, Indian Territory, October 11, 1905.

T. N. Ratterree,

Wilburton, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 8, stating that owing to an affidavit made by Jesse Riddle before the Citizenship Court it is essential that you secure the date of his marriage to his white wife.

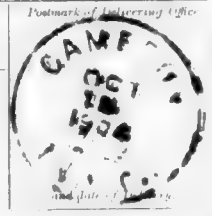
In reply you are advised that you do not give the name of the woman who is now the wife of Jesse Riddle, but it appears from the records of this office that Jesse and Fannie Riddle both testified on December 16, 1902, that they were married about twenty four or twenty five years ago, but that theyremarried under Choctaw law

Respectfully,

Commissioner.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office



Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender,

COM. FIVE TRIBES
MUSKOGEE, IND. TER.

Street and Number, or Post Office Box,

Post Office at

County , State

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Cameron Dt
(Delivering office.)

Registered {Letter / Parcel} *No.* 14302 *from* MUSKOGEE IND TER.
(Office of origin.)

Addressed to Fannie Riddle
(Name of addressee.)

Date Oct 18 , 1904
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Fannie Riddle
(Signature or name of addressee.)

Jesse Riddle
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2677 Thomas D. Ainsworth choc

2677

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Martha A. Ainsworth as intermarried Choctaw; Thomas D Ainsworth being sworn and examined by Com'r McKennon testifies:

Thomas D. Ainsworth, forty-eight years old.

Q You are a Choctawby blood? A Yes sir.

Q Your wife Martha is a white woman? A Yes sir.

Q Were you lawfully married to her? A Yes sir.

Q Who officiated? A Rev E. R. Shapard.

Q Did he give you a certificate of marriage? A No sir he didn't.

Q That was in the Choctaw Nation? A Yes sir.

Q When? A 26th day of December, 1875 .

Edward Lamar being sworn and examined testifies:

Q What is your name? A Edward Lamar.

Q Age? A Forty-eight.

Q Do you know Thomas D. Ainsworth? A Yes sir.

Q Do you know his wife Martha A.? A Yes sir.

Q He is a citizen by blood? A Yes sir.

Q She is a white woman? A Yes sir.

Q Were you present at their marriage? A Yes sir.

Q And saw them married? A Yes sir.

Q Who officiated? A Mr. Shaperd, a Methodist preacher.

Q Where was that, in the Choctaw Nation? A Yes sir.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this [illegible] of my [illegible]

M D Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, Indian Territory, December 18, 1902.

Choctaw 2677.
Intermarried.

In the matter of the application of Martha A. Ainsworth for enrollment as an intermarried citizen of the Choctaw Nation.

Martha A. Ainsworth, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Martha A. Ainsworth.
Q How old are you? A Fifty.
Q What is your post office address? A Oak Lodge, Indian Territory
Q How long have you been a resident of the Choctaw Nation? A Ever since 1868.
Q Have you lived here continuously since that time? A Yes sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Thomas D. Ainsworth.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Thomas D. Ainsworth? A 26th day of December 1875.
Q Where was the marriage ceremony performed? A At Oak Lodge.
Q At that time were both you and your husband b ona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage cere mony? A Rev E. R. Sheppard.
Q Were you married under a license? A No sir.
Q Did you ever have a certificate? A No sir.
Q You never had a certificate? A No sir.
Q Were you ever married previous to your marriage to Thomas D. Ainsworth? A Yes sir.
Q How many times before? A Once.
Q What was the name of your former husband? A Green McCurtain.
Q When were you married to Green McCurtain? A In 1872 I believe it was.
Q When did you separate from him? A The same year.
Q W ere you divorced? A Yes sir.
Q Where was the divorce granted? A In Skullyville county.
Q Was Mr Ainsworth ever married before his marriage to you? A No sir
Q Since that marria e have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

---oOo---

Harry C Ristean, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date. Harry Ristean

Subscribed and sworn to before me this 22 day of January 1903.

Charles N. Sawyer
Notary Public.

West

E/C
B64

7 - 2677.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Martha A. Ainsworth as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Martha A. Ainsworth (formerly McCurtain) on December 26, 1875, was lawfully married to Thomas D. Ainsworth, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 7791 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Martha A. Ainsworth should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
MAR 2 1903

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 2 1903

Chairman.

O[illegible] L[illegible], Indian Territory, Oct., 28th 1903.

THIS IS TO CERTIFY That I was present when the marriage ceremony [illegible] T[illegible] D. Ai[illegible] and his wife, Martha A. Ainsworth, in the holy bonds of matrimony was performed, said marriage ceremony being performed on the 26 day of December of 70. That I know of my own personal knowledge that said marriage ceremony was performed in accordance with the forms and requirements of the law.

Edward Lanier

Sworn to and subscribed before me this the 28 [illegible] Oc[illegible] 1903.

J. H. Bowman
Notary Public.

My commission expires March 3d 1906

C E R T I F I C A T E .

To be used in the application of Martha A. Ainsworth for enrollment as a citizen of the Choctaw Nation by Intermarriage.

OCT 24 1903

Filed by D.C.McCurtain.

Tuskahoma, Indian Territory, Oct., 20, 1903.

THIS IS TO CERTIFY That I was clerk of the Circuit Court of the First Judicial District of the Choctaw Nation from 1873 to September 1874, and as such clerk I was the lawful custodian of the records, files and proceedings of said Circuit Court. That at a Special Term of said Circuit Court held in January 1874 a divorce dissolving the bonds of matrimony then existing between Green McCurtain and his wife, Martha A.McCurtain (now Martha A. Ainsworth, wife of Thomas D.Ainsworth) was granted on the exact date of which I do not now remember of said special term.

I further certify that the records of the Circuit Court containing and showing the proceedings had in this case were afterwards destroyed by fire.

R. J. Ward

Sworn to and subscribed before me this the date first above written.

Notary Public.

My commission expires March 3rd 1907

I, P.J.Hudson, the duly elected, qualified and acting Auditor of the Choctaw Nation, hereby certify that the records of this office show that Robert J.Ward was clerk of the Circuit Court of the First Judicial District of the Choctaw Nation in the year 1874.

Peter J. Hudson,
National Auditor.

Sworn to and subscribed before me this the date first above written.

My commission expires March 3rd 1907

7-2677

Muskogee, Indian Territory, May 26, 1903.

Thos. D. Ainsworth,

Oak Lodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 20, in which you ask if the enrollment of Thomas O. Ainsworth and Ella M. Ainsworth has been approved by the Secretary of the Interior.

In reply to your letter you are informed that it appears from our records that Thomas D. Ainsworth and children, Thomas O. and Ella M. Ainsworth have been enrolled by this Commission as citizens by blood of the Choctaw Nation, and on January 17, 1902, their enrollment was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw-2677

Muskogee, Indian Territory, September 23, 1903.

Mrs. Martha A. Ainsworth,

Oaklodge, Indian Territory.

Dear Madam:

It appears from the records of the Commission that you are an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation, but it does not appear that there is any evidence on file of your divorce from Green McCurtain, your former husband.

You are advised that it will be necessary for you to furnish the Commission with a certified copy of the decree of divorce between you and your former husband, Green McCurtain.

This matter should receive your prompt attention as no further consideration can be given to your case until such evidence is furnished.

Respectfully,

Chairman.

7-2677

Muskogee, Indian Territory, October 24, 1903.

D. C. McCurtain,

Tushkahoma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st inst., enclosing the affidavit of R. J. Ward stating that he was clerk of the Circuit Court of the First Judicial District of the Choctaw Nation from 1873 to September 1874, and that at the special term of said Circuit Court held in January 1874, a divorce dissolving the bonds of matrimony then existing between Green McCurtain and his wife, Martha A. McCurtain, was granted; and the same has been duly filed with our records in hte matter of the application for enrollment of Martha A. Ainsworth as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-2677

Muskogee, Indian Territory, November 3, 1903.

Thomas D. Ainsworth,

Oaklodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavit of Edward Lanier to the marriage of Thomas D. Ainsworth and his wife, M. A. Ainsworth, on December 26, 1875, and the same has been filed with the record in the matter of the application of Martha A. Ainsworth for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

7-2677

Muskogee, Indian Territory, November 24, 1903.

D. C. McCurtain,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 15, in which you ask if further evidence is necessary in the matter of the application of Martha A. Ainsworth for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that the Commission is now considering the application of Martha A. Ainsworth for enrollment as an intermarried citizen of the Choctaw Nation and as soon as a decision is reached in this case she will be notified of the action taken therein.

If further evidence is necessary to enable the Commission to pass upon her application she will be duly notified.

Respectfully,

Chairman.

Choctaw 2677

Muskogee, Indian Territory, February 6, 1904.

Thomas D. Ainsworth,

Oak Lodge, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 31, asking the status of the enrollment of Martha A. Ainsworth as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that the application of Martha A. Ainsworth is now receiving the consideration of the Commission and as soon as a decision is rendered relative to her right to enrollment as an intermarried citizen of the Choctaw Nation she will be notified of the action taken therein and furnished a copy of the decision.

Respectfully,

Commissioner in Charge.

Choctaw No. 2677

Muskogee, Indian Territory, March 2, 1904.

Martha A. Ainsworth,

Oak Lodge, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 2, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc. 7-2677

Choctaw No. 2677

Muskogee, Indian Territory, March 2, 1904.

D. C. McCurtain,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 2, 1904, rendered a decision, granting the application of Martha A. Ainsworth for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said Martha A. Ainsworth as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Commissioner in Charge.

Chootaw No. 2677

Muskogee, Indian Territory, March 2, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Chootaw & Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 2, 1904, granting the application of Martha A. Ainsworth for enrollment as a citizen by intermarriage of the Chootaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said Martah A. Ainsworth as a citizen of the Chootaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Chootaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. B. Needles

Commissioner in Charge.

Registered.
Enc. 7-2677

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender, Commission to the Five Civilized Tribes

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County ..... State

Postmark of Delivering Office and date of Delivery.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender, Commission to the Five Civilized Tribes

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County ..... State

Postmark of Delivering Office and date of Delivery.

REGISTRY RETURN RECEIPT. Form No. 1548.

MUSKOGEE, IND. TER. MAR 5 A

Received from the Postmaster at Mc Alester I.T. (Delivering office.)

Registered (Letter/Parcel) No. 10874, from (Office of origin.)

Addressed to D. C. McCurtain (Name of addressee.)

Date Mch 4, 1904 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

D. C. McCurtain (Signature or name of addressee.)

by A. Young (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Oak Lodge I.T. (Delivering office.)

Registered (Letter/Parcel) No. 10367, from MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Martin A. Ainsworth (Name of addressee.)

Date (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Martin A. Ainsworth (Signature or name of addressee.)

Mrs. A. Ainsworth (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2678 Jack Burns Choc

2678

7-2678.

Muskogee, Indian Territory, December 18, 1903.

M.W. Newman,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th inst., enclosing the affidavits of Dixon Billy and Jack Burns relative to the death of Thomas Burns, a citizen by blood of the Choctaw Nation, which occurred March 5, 1900; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

2679 Wilburn Cass Choc

2679

INDEXED

DEC 19 1902

Cass Florence
McCurtain, I.T.
Dec. 17-1902

CHOCTAW

Affidavit of death of William Cass

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC 24 1902

ACTING CHAIRMAN.

7-2679

JAMES A. ROGERS. CLAUDE H. GLENN.

ROGERS & GLENN
JEWELERS, ELECTRICIANS
AND
OWNERS OF THE CITY, AGENCY
CHANT CITY, I. T.
MCCURTAIN, P. O. DEC 17 1902 190

To the Dawes Commission
"Notice of Death"
of Wilburn Cass died
April 4 1901
Said Wilburn Cass was
a Citizen of the "Chactan
Nation" Leaving a
Family of a Wife and
one Child Wife Name
Florrence Cass, all Claims
may Be transfered to the
Widdow ~~as~~ The Son
by name Jefferson Perry
Who is a Son of Mrs. Cass.
Yours Truly
Florrence Cass.
McCurtain Po. I.T.
subscribed and sworn to before
me a Notary public this 17 day
of december 1902
Jas. A. Rogers.

7-3679.

Muskogee, Indian Territory, December 24, 1902.

Florence Cass,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit relative to the death of your husband, Wilburn Cass, a citizen by blood of the Choctaw Nation, which occurred April 1, 1901; and the same has been filed with the records of the Commission.

You are advised that the rules of this Commission require two affidavits to complete a proof of death, and there is herewith enclosed a new blank. Kindly have the affidavit for an acquaintance properly executed, returning same in the enclosed envelope at your earliest convenience.

Respectfully,

Acting Chairman.

7-2679

Muskogee, Indian Territory, October 7, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2679:

"No. 1 died April 1, 1900. Proof of death filed Oct. 7, 1903."

and opposite the name of No. 1 on said card has been stamped the word "Dead".

You are therefore, requested to make like notations upon the duplicate card in your possession.

Respectfully,

Chairman.

7-2679

Muskogee, Indian Territory, October 7, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2679:

"No. 1 died April 1, 1900. Proof of death filed Oct. 7, 1903"

and opposite the name of No. 1 on said card has been stamped the word "Dead".

You are therefore, requested to make like notations upon the duplicate card in your possession.

Respectfully,

Chairman.

7-2679

Muskogee, Indian Territory, August 15, 1903.

Florence Cass,

Care James A. Rogers,

McCurtain, Indian Territory.

Dear Madam:

It appears from our records that on December 17, 1902, you made affidavit as to the death of your husband, Wilburn Cass, a citizen by blood of the Choctaw Nation, stating that the same occurred April 1, 1901.

For the purpose of making the record in the matter of the death of Wilburn Cass complete, a blank form is enclosed you herewith, which you are kindly requested to have properly executed and return to this office in the enclosed envelope, with as little delay as possible.

In addition to your own affidavit, you are requested to secure the affidavit of an acquaintance. Be careful to see that all names are written in full, all blank spaces properly filled, and in event either of the persons whose names are to be signed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested persons who are able to write their own names.

The Notary Public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Env.

D C.

Commissioner in Charge.

Choctaw 2679

Muskogee, Indian Territory, November 19, 1904.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 15, asking the post office addresses and ages of Ora G. Smith, Claud R. Smith, George L. Smith and Hermon E. Smith.

In reply to your letter you are advised that the last post office address of the above named persons, as it appears from our records, is Cowlington, Indian Territory. Their ages, in September, 1902, are as follows:

George L.	Smith,	29
Hermon E.	"	7
Claude R.	"	6
Ora G.	"	4

Respectfully,

Chairman.

7-2453
7-2679

Muskogee, Indian Territory, June 11, 1906.

James Franklin,

Chant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 2, 1906, giving information relative to the enrollment of yourself and your wife in the matter of the application for the enrollment of your child Kilburt Franklin as a new born citizen of the Choctaw Nation under the act of Congress approved April 26, 1906, and the same has enabled this office to identify you and Florence Cass as enrolled citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

7-2679

Deal

Wilburn Cass,

~~Stigler~~,

Ind. Ter.

MUSKOGEE IND. TER. OCT 4 1906

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

At a special election held in the Choctaw and Chickasaw Nations, September 25, 1902, there was ratified by the citizens of these two tribes an Act of Congress approved July 1, 1902, and entitled, "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes."

This agreement as so ratified and now effective, provides that the rolls of the citizens of the Choctaw and Chickasaw Nations and Choctaw and Chickasaw freedmen shall be made as of the date of the final ratification of such agreement.

Section 34 of said agreement provides as follows:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as 'delinquents,' and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement: but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

For the purpose of the enrollment of those classes of persons as provided by section 34 above quoted, the Commission to the Five Civilized Tribes will be in session at the following designated places on the dates given:

Chickasha, Chickasaw Nation,	***October 15th to 17th, inclusive.***
Pauls Valley, Chickasaw Nation,	***October 20th to 24th, inclusive.***
Ardmore, Chickasaw Nation,	***October 27th to 31st, inclusive.***
Tishomingo, Chickasaw Nation,	***November 3rd to 7th, inclusive.***
Ada, Chickasaw Nation,	***November 10th to 14th, inclusive.***
Atoka, Choctaw Nation,	***November 17th to 21st, inclusive.***
Kullituklo, Choctaw Nation,	***November 24th to 28th, inclusive.***
Antlers, Choctaw Nation,	***December 1st to 5th, inclusive.***
Tushkahomma, Choctaw Nation,	***December 8th to 12th, inclusive.***
Wister, Choctaw Nation,	***December 15th to 19th, inclusive.***
South McAlester, Choctaw Nation,	***December 22d to 24th, inclusive.***

After December 24th, 1902, the Commission will be without authority to receive the application of any person whomsoever for enrollment as a citizen or freedman of either the Choctaw or Chickasaw Nations.

The appointments above designated will be the last opportunity afforded citizens of the Choctaw and Chickasaw Nations to present their applications.

It is necessary that the status of all intermarried citizens on September 25, 1902, be determined and citizens by intermarriage should avail themselves of this opportunity to present testimony showing their status on that date.

The Commission will also at these appointments receive applications for the enrollment of infant children born prior to September 25, 1902, and proofs of death of citizens and freedmen previously listed for enrollment but who died prior to said date.

No original applications for the enrollment of persons whose names are not on the tribal rolls or applications for identification as Mississippi Choctaws will be heard at these appointments.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Muskogee, I. T. October 4, 1902.

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

Florence Case

Stigler

O.T.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

7-2679.

Muskogee, Indian Territory, October 21, 1902.

Florence Cass,

Stigler, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, Wilburn Cass, has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record there is enclosed herewith a blank for proof of death, which you are requested to have correctly executed and return in the enclosed envelope at your earliest convenience.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

F C 2

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Acting Chairman.

Card 7-2679
Leaf 7-7
32

IN RE
THE DEATH OF

Wilburn Oakes

a citizen of the

Choctaw *Nation.*

Approved 1903 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 1903
CHIEF CLERK.

CHOCTAW.
2679

File in 7-2679

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Wilburn Cass
(Here insert name of deceased)
a citizen of the Choctaw Nation, who formerly resided at or near
Eliglu
(Here insert name of post office), Ind. Ter., and died on the First day of
April, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, Florence Cass, on oath state that I am 74 years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Mc Curtain
(Here insert name of post office) Ind. Ter.; that I am wife
(State relationship as the father, an uncle, a cousin, etc.) of Wilburn Cass
(Here insert name of deceased), who was a citizen, by blood of the Choctaw Nation; and that said Wilburn Cass
(Here insert name of deceased) died on the 1 day of April, 1900

Florence her × Cass
mark

WITNESSES TO MARK
(Must be Two Witnesses)
W Perry
Jacob Homer.

Subscribed and sworn to before me this 16 day of September 1903

David Shelby
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, James Franklin, on oath state that I am 78 years of age, and a citizen, by blood, of the Choctaw Nation; that my post office address is Mc Curtain
(Here insert name of post office) Ind. Ter.; that I was personally acquainted with Wilburn Cass
(Here insert name of deceased), who was a citizen, by blood, of the Choctaw Nation; and that said Wilburn Cass
(Here insert name of deceased) died on the 1 day of April, 1900

James his × Franklin
mark

WITNESSES TO MARK
(Must be Two Witnesses)
W Perry
Jacob Homer.

Subscribed and sworn to before me this 16 day of September 1903

David Shelby
Notary Public.

2680 wingenon watkins doc

2680

2681 Frank Wilson Choc

2681

The Choctaw Nation.
County of Scullyville.

This is to certify that I have this day according to the laws of the Choctaw Nation, joined in the holy bond of Matrimony W. C. D. Wilson and Miss Alice Cheatham.

Given under my hand this the 15th day of Sept 1886.

C. M. Webb.
County Judge
Scullyville Co.
C. N.

Recorded on Page 331 of the Record Book of Scullyville Co C. N. This the 4th day of July 1887.

John Taylor
County Clerk

Choctaw 2681
Choctaw 2535
Choctaw 2758
Choctaw 2781

Muskogee, Indian Territory, October 6, 1902.

John D. Benedict,

Superintendent of Schools,

Muskogee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 2, asking relative to the enrollment as Choctaws by blood of the following named children:

Everett Crutchfield,
Ima Crutchfield,
Louvina Crutchfield,
William Crutchfield,
Loutiola Crutchfield.
Russell Simpson,
William Simpson.
Brandon Berryberry,
Frank Wilson,
Clayton Wilson,
Minnie Wilson,
Walter Wilson.

In reply to your letter you are informed that it appears from our records that on June 13, 1899, Everet, Ima, Louvinia, William and Loutiola Crutchfield, children of Ida Crutchfield and G. W. Crutchfield, were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, rendered August 22, 1897, in court case, citizenship docket, Number 132.

It also appear from our records that Edward R. Simpson,

nine years old, and William N. Simpson, seven years old, children of Nettie R. Simpson, a citizen by blood of the Choctaw Nation, and W. W. Simpson, a noncitizen, were, June 15, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified from the 1896 Choctaw Census Roll, being numbers 11,152 and 11,153 thereon.

It further appears that Brandon B. Derryberry, son of Anna B. Derryberry, a citizen by blood of the Choctaw Nation, and Garrison B. Derryberry, a noncitizen, was, June 15, 1899, listed for enrollment as a citizen of the Choctaw Nation, having been identified from the 1896 Census Roll of the Choctaw Nation, being number 5240 thereon.

It also appears that Frank Wilson, twelve years old, Clayton Wilson, ten years old, Winnie Wilson, eight years old and Walter Wilson, seven years old, children of J. B. Wilson and Alice McClary, were on June 14, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified fromthe 1896 Choctaw Census Roll, as numbers 12830,12831,12832, and 12833 thereon.

It is believed that these are the children concerning whom your inquiry is made.

Respectfully,

Acting Chairman.

2682 Jackson W. King Choc

2682

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

JACKSON W. KING, 7-2682.

Department of the Interior,
Commission to the Five Civilized Tribes.

Commission to the Five Civilized Tribes,
Spiro, Indian Territory.

In the enrollment of Letitia King as intermarried Choctaw;
Mary Ann McCarty being sworn and examined by Com.McKennon testifies

Q Mary Ann McCarty, seventy-three years old.

Q Do you know William Victor? A Yes sir.

Q Did you know his wife Phoebe? A Yes sir, I never knew her before she married; she was a school teacher in Missouri; I sent my oldest daughter to school to her.

Q Do you know they lived together as husband and wife here?
A No sir, I don't; I suppose they did though; they lived on the prairie not far from me.

Q Were they among the neighbors reputed to be husband and wife?
A No sir I never did hear anything said about them, never thought of such a thing.

Q Was it understood among the people that they were husband and wife? A Yes sir, they came here as husband and wife, and were here for a number of years.

Q And were understood to be husband and wife? A Yes sir. I couldn't tell you how many years, but several years, three or four years or such a length.

---- ---- ----

Mary Harlow being sworn and examined testifies:

Q What is your name? A Mary Harlow.

Q What is your age? A Sixty-four.

Q Did you know William Victor and wife Phoebe? A Yes sir.

Q Do you know whether they lived here in the Choctaw Nation as husband and wife? A Yes sir.

Q And were understood to be husband and wife by the people in the neighborhood? A Yes sir, they staid at my house a while as husband and wife.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WISTER, I.T. Dec.16, 1902.

7-2682

In the matter of the application of Jackson W. King for enrollment as an inter married citizen of the Choctaw Nation.

Jackson W. King being sworn on his oath states:

Examination by the Commission:

Q What is your name? AJackson W. King.
Q How old are you? A Thirty one.
Q What is your post office address? A Cowlington, I.T.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A15 years
Q Have you lived here continuously for the past 15 years? A Yes sir.
Q Never made your home anywhere else during that time? ANo sir.
Q Do you claim inter married rights in the Choctaw Nation,A Yes sir
Q What is the name of your Choctaw wife through whom you claim these rights? A Letitia Overstreet;Victor it was before she married the first time.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Were her rights as such ever disputed? A No sir.
Q When were you married to Leititia Overstreet? A Three years ago the 10th day of last April.
Q Where was this marriage ceremony performed? A In Skullyville County.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A I reckon so;my license cost $100.00.
Q From whom did you get that license? A That old man Welch.
Q Who performed the marriage ceremony? A John Dodson.
Q Minister of the gospel? AYes sir.
Q Were you ever married prior to your marriage to this woman? A No sir.
Q You said that she was married before? A Yes, once.
Q What was the name of her former husband? A William H. Overstreet.
Q Was he dead at the time of your marriage to her? A Yes; been dead eight years.
Q Is Letitia Overstreet living now? A No sir, died last August.
Q From the time of your marriage to her up until her death did you live together continuously as husband and wife? AYes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer

J.W.K---2

to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on December 16, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in same.

Henry B. Laing

Subscribed and sworn to before me this 6 day of January, 1903.

Charles A. Sawyer

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TR...
FILED
MAY ... 1903

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TR...
FILED
MAY ... 1903

I Jackson W. King of Cowlington Indian Territory do solemly swear that I have not married since the death of my wife Letitia King.

Witness my hand at Cowlington Ind. Ter. this the 29 day of April 1903

Jackson W King [seal]

Subscribed and sworn to before me Aaron H. Crouthamel a notary public of the central district Choctaw Nation I. T.

Aaron H Crouthamel
(notary public)

Commission expires 3 day of February 1907

Recorded in the Records of Skullyville County. C. N.,

In Book No 2. Page44.,
This the 29th day of April. 1899,

County Clerk of Skullyville Co. C.N.,

This Book No 2,
page 44,

Wade County Choctaw Nation
Be it known,
That Jackson W King a citizen of the United States, has this day, presented to me, his petition, for a License to be lawfully married to a Choctaw woman, as required by the laws of the Choctaw Nation, has taken and subscribed the oath required by said laws,
And has paid to me the sum of one hundred (100.00) as also required by said laws,
And now, in consideration thereof, I William A Welch, Clerk of the County Court of said County, do hereby grant unto him the said Jackson W King a License to be lawfully married to Mrs Letitia Overstreet,
and authorize, any Minister of the Gospel or any other person qualified to solemnize Matrimony, to join together in Matrimony the said Jackson W King and Mrs Letitia Overstreet,
Witness my hand and official seal this 16th day of April 1899
W A Welch
County Clerk

7 - 2682

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Jackson W. King as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that Jackson W. King, on April 13, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation to Letitia King (formerly Oversreet), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 9892 upon the 1896 Choctaw census roll, Skullyville County; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together continuously in said nation as husband and wife from the date of said marriage up to August, 1902, the date of the decease of the said Letitia King; and that since that time the applicant has not remarried and has resided continuously in the Choctaw Nation up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Jackson W. King should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JUL 25 1903

Choctaw 2682

COPY.

Muskogee, Indian Territory, July 15, 1903.

Jackson W. King,

Tishomingo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 15, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.

Commissioner in Charge.

Registered.

Enc MVC 13/28

Choctaw 2682

Muskogee, Indian Territory, July 25, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 25, 1903, granting the application of Jackson W. King for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.

Commissioner in Charge.

Registered.

Enc MYC 14/25

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1902

[signature] ACTING CHAIRMAN

CHOCTAW.

[illegible]

No. 1201

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } SCT:

I, E. J. Farrin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. Ed D. Cleveland and Miss Mollie Overstreet was filed in my office in said Territory and District the [illegible] day of September, A. D. 1901 and duly recorded in Book 1 of Marriage Record, Page [illegible].

WITNESS my hand and seal of said Court, at [illegible] this [illegible] day of September, A. D. 1901

E. J. Farrin
Clerk.

By [illegible] Deputy.

7—660

No. 1205

FORM No. 593.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the **Banns of Matrimony** *between* Mr Ed D. Cleveland *of* Cowlington *in the Indian Territory, aged* 23 *years, and* Miss Mollie Overstreet *of* Cowlington *in the Indian Territory, aged* 18 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and official seal, this 29 *day of* August *, A. D. 1901*

By T. T. Varner *Deputy.* E. J. Tarrin *Clerk of the United States Court.*

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

I, A. L. Whittemore *a* minister of the Gospel *do hereby CERTIFY, that on the* 30 *day of* August *, A. D. 1901, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.*

Witness my hand this 30 *day of* August *, A. D. 1901*

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book 5 *, Page* 64

A. L. Whittemore
a minister

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.00).

1—660

CHOCTAW. 33 146 INDEXED
20

IN RE

Application for Enrollment of

INFANT CHILD

Letitia Overland

as a citizen of

Choctaw Nation.

Approved SEP 18 1902 190...

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1902

ACTING CHAIRMAN

CHOCTAW.
2682

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Letetia Cleveland (Here insert name of child), born on the 13 day of aug, 1902

Name of Father: Edward E Cleveland a citizen of the Choctaw Nation.

Name of Mother: Mollie E Cleveland a citizen of the Choctaw Nation.

Post-office Cowlington IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Mollie E Cleveland, on oath state that I am 20 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Edward E Cleveland, who is a citizen, by ~~blood~~, of the ~~Choctaw~~ Nation; that a female (male or female) child was born to me on 13 day of August 1902 that said child has been named Letetia Cleveland, and is now living.

Mollie E Cleveland

WITNESSES TO MARK

(Must be Two Witnesses) John H Robertson

Thornton Hawkins

Subscribed and sworn to before me this 28 day of Aug 1902

John W Greer
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, F. S. Bush, a Physcian, on oath state that I attended on Mrs. Mollie E. Cleveland wife of Edward E. Cleveland on the 13 day of August, 1902, that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Letetia Cleveland

F. S. Bush, M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 28 day of Aug 1902

John W Greer
NOTARY PUBLIC

742682.

Muskogee, Indian Territory, September 18, 1902.

Edward D. Cleveland,

Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Letitia Cleveland, infant daughter of Edward D. and Mollie E. Cleveland, born August 13, 1902; and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between Edward D. Cleaveland and Mollie Overstreet, and the same have been duly filed in support of the application for the enrollment of the above named child, and as authority for the change of the name of the mother upon our records from her maiden name to her present married name.

Yours truly,

Acting Chairman.

7-2682.

Muskogee, Indian Territory, April 23, 1903

Jackson W. King,

Cowlington, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are informed that it is necessary for you to supply the Commission with your sworn statement as to whether or not, after the death of your wife, Letitia A. King, up to and including September 25, 1902, you remarried.

This should receive your immediate attention as nothing further can be done in the matter of your application for enrollment until this information is received.

Respectfully,

Chairman.

Choctaw 2682

Muskogee, Indian Territory, May 5, 1903.

Jackson W. King,

Cowlington, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your affidavit which you offer in support of your application for enrollment as an intermarried citizen of the Choctaw nation, and the same has been duly filed with the record in your case.

Respectfully ,

Chairman.

7-2682

Muskogee, Indian Territory, October 14, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card, No. 2682, and the duplicate thereof in your possession; you are advised that corrections have this day been made in the column "Name of Mother" opposite Nos. 3, 4, 5, 6 and 7 inclusive, which reads "No. 1", so that the same now reads "No. 2" opposite each name.

You are, therefore, requested to make like corrections upon the duplicate card in your possession in accordance with this information.

Respectfully,

Chairman.

7-2682

Muskogee, Indian Territory, October 14, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card, No. 2682, and the duplicate thereof in your possession; you are advised that corrections have this day been made in the column "Name of Mother" opposite Nos. 3, 4, 5, 6 and 7 inclusive, which reads "No. 1", so that the same now reads "No. 2" opposite each name.

You are, therefore, requested to make like corrections upon the duplicate card in your possession in accordance with this information.

Respectfully,

Chairman.

Choctaw 2682

Muskogee, Indian Territory, February 8, 1904.

Ed Cleaveland,

Cowlington, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 29, in which you ask how to proceed to secure your rights as an intermarried citizen of the Choctaw Nation and state that you married Mollie Overstreet, a citizen by blood of the Choctaw Nation, August 30, 1901.

In reply to your letter you are advised that it does not appear from our records that application has been made by you or in your behalf to this Commission for enrollment as an intermarried citizen of the Choctaw Nation, and under the provisions of the act of Congress of July 1, 1902, the Commission is now without authority to receive or consider any original applications for enrollment in the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in charge.

Choctaw 2682.

Muskogee, Indian Territory, April 11, 1905.

Edward Cleveland,

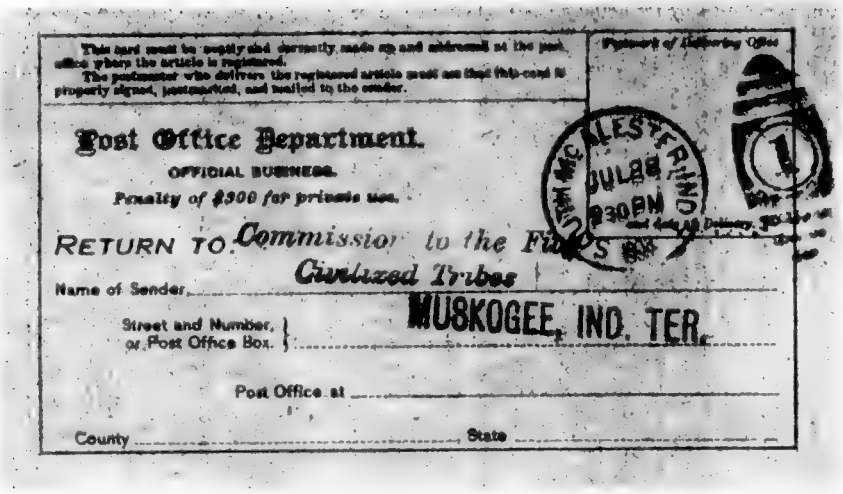
Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mollie Cleveland and J. B. Beckett to the birth of Edmon Ree Cleveland, son of Edward and Mollie Cleveland, November 16, 1904, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Commissioner in Charge.



This card must be neatly and correctly made up and addressed at the post-office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.

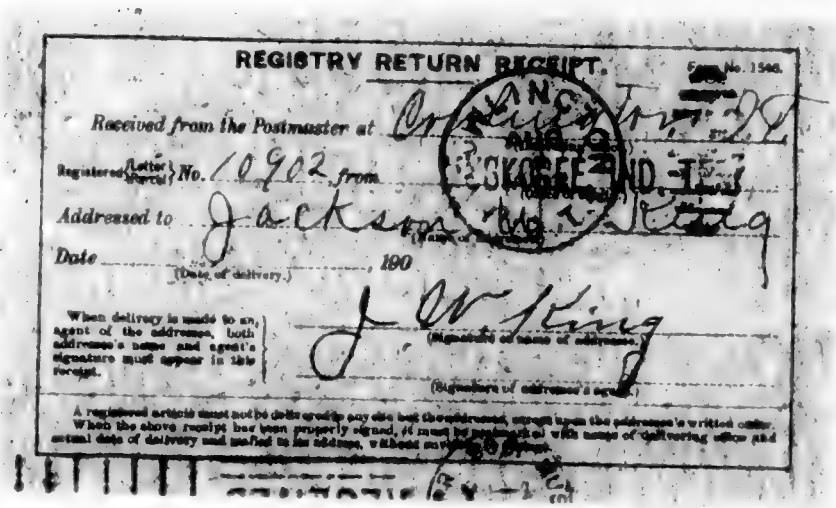
RETURN TO Commissio[illegible] to the Fi[illegible] S
Civilized Tribes

Name of Sender

Street and Number, or Post Office Box. MUSKOGEE, IND. TER.

Post Office at

County State



REGISTRY RETURN RECEIPT. Form No. 1546.

Received from the Postmaster at [illegible]

Registered (Letter / Special) No. 10902 from [illegible]

Addressed to [illegible]

Date (Date of delivery.) 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

J. W. King (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the address, without [illegible]

REGISTRY RETURN RECEIPT. Form No. 1548

Received from the Postmaster at Sw. McAlester I.T.
(Delivering office.)

Registered {Letter / Parcel} No. 10977 *from* MUSKOGEE, IND. TER.
(Name of office.)

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

JUL 28 1903

Date ....., 190
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mansfield McMurray & Cornish
(Signature or name of addressee.)

Wm McKinney
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO: *Commissioner to the Five Civilized Tribes*

Name of Sender .....

Street and Number (or Post Office Box) .....

Post Office at MUSKOGEE, IND. TER.

County ..... State .....

MUSKOGEE, IND. TER. AUG 3 1903 7 AM

2683 Thomas G. Overstreet CHOC

2683

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of -

THOMAS G. OVERSTREET,- - Choctaw-2683

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WISTER, I.T. Dec.16, 1902.

7-2683

In the matter of the application of Thomas G. Overstreet for enrollment as an inter married citizen of the Choctaw Nation.

Thomas G. Overstreet being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Thomas G. Overstreet.
Q What is your age? A Fifty three the 22nd day of last June.
Q What is your post office address? A Cowlington, I.T.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A 27years.
Q Have you livedhere continuously for the past 27 years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw wife through whom you claim these rights? A Margaret Victor, was my first wife.
Q Was Margaret Victor a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q When were you married to her? A In 1871 May 21. in the State of Missouri.
Q At that time were you a resident of the Choctaw Nation? A No sir.
Q Resident of Missouri? A Yes sir.
Q What was her home? A She was living in Missouri at that time.
Q Under what law were you marriedto her A Under the laws of the State of Missouri.
Q How long did you live with that woman? A From the time we married in 1871 till 1886 I believe; I wouldn't be positive about the date of her death.
Q Did you live with her till her death? A Yes sir.
A After her death you re-married? A Yes sir.
Q What was the name of your second wife? A Elizabeth Krebs.
Q Was she a recognized citizen of the Choctaw Nation? A Yes sir.
Q When were you married to Elizabeth Krebs? A In-- I have been married 16 years the 25th of August.
Q Where was this marriage ceremony performed? A In the Choctaw Nation on Cedar Prairie.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A I went to the Capital of the Choctaw Nation after I came to the Nation and was adopted there; once you seed the papers you will understand;yes, we was taken to be;yes sir.
Q Were you married in accordance with the Choctaw tribal law? A No sir.
Q Who married you to Elizabeth Krebs? A Parson Lowrie.
Q You said that you were admitted by the Choctaw Council to citizenship in the Choctaw Nation? A Yes sir.
Q Were you admitted as an inter married citizen or as a citizen by blood? A Inter married citizen.
Q Was that before or after your marriage to Elizabeth Krebs? A Before.

Q Are you still living with Elizabeth Krebs as her husband? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q You are present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A I don't remember just what time it was.
Q Six years ago, when the Commission was--- A I understand that certain paries were notified to send a petition to them. I sent a petition and I learned afterwards that it was not used.
Q Do you know what action was taken by the Commission on that application? A It was granted.
Q Was your case ever appealed to the United States Court? ANo sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civlized Tribes he reported the above case on December 16, 1902, and that this is a full, true and correct transcript of his stenographic notesin same.

Henry G. Hains

Subscribed and sworn to before me this 6 dau of January, 1903.

Charles H. Sawyer
Notary Public.

7 - 2683

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Thomas G. Overstreet as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that Thomas G. Overstreet appeared before the Commission at Spiro, Indian Territory, on June 14, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Wister, Indian Territory, on December 16, 1902.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Thomas G. Overstreet, et al., vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 244, the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with Margaret Overstreet (nee Victor), a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Thomas G. Overstreet was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of the Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Thomas G. Overstreet should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

JUL 20 1903

COPY.

Choctaw-2683.

Enc. No.5

Muskogee, Indian Territory, July 20, 1903.

Thomas G. Overstreet,

Cowlington, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,
(SIGNED)

T. B. Needles
Commissioner in Charge.

Registered.

Enc. No.5

COPY. Choctaw-2683

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Thomas G. Overstreet, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc. HG.6

IN RE

Application for Enrollment of

INFANT CHILD.

Russell Berryhill

As a citizen of the

Cherokee Nation.

Approved June 16 1899

Commissioner.

7-2183.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaws Nation,

of Russell Overstreet, born on the 25 day of October, 1896

Name of father: Thos G Overstreet, a citizen of the Choctaw Nation.

Name of mother: Elizabeth Overstreet, a citizen of the Choctaw Nation.

Post Office: Coalington I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY,~~ ~~District~~. } State of Arkansas / County of Sebastian }

I, Elizabeth Overstreet, on oath, state that I am 33 years of age and a citizen, by birth & blood, of the Choctaw Nation; that I am the lawful wife of Thos G. Overstreet who is a citizen, by marriage, of the Choctaw Nation; that a male child was born to me on the 25 day of Oct, 1896; that said child has been named Russell Overstreet, and is now living.

Elizabeth Overstreet

Subscribed and sworn to before me this 14 day of June, 1899

Andrew S. Dowd
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY,~~ ~~District~~. } State of Arkansas / County of Sebastian }

I, E H Stevenson, a Physician, on oath, state that I attended on Mrs. Elizabeth Overstreet, wife of Thos G Overstreet on the 25 day of Oct, 1896; that there was born to her on said date a male child; that said child is now living and is said to have been named Russell Overstreet.

E H Stevenson

Subscribed and sworn to before me this 14 day of June, 1899

Andrew S. Dowd
Notary Public.

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Clayton Sengel Overstreet

as a citizen of the

CHOCTAW *Nation.*

Approved SEP 18 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 18 1902

ACTING CHAIRMAN.

CHOCTAW

2683

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Clayton Sengel Overstreet (Here insert name of child.), born on the 27th day of July, 1902
Name of Father: Clayton N Overstreet, a citizen of the Choctaw Nation.
Name of Mother: Alice E Overstreet, a citizen of the Choctaw Nation.
Post-Office: Cowlington Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western District.

I, Alice E Overstreet, on oath state that I am 26 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Clayton N Overstreet, who is a citizen, by blood, of the Choctaw Nation, that a male (Male or female) child was born to me on the 27th day of July, 1902; that said child has been named Clayton Sengel Overstreet, and is now living.

Alice E Overstreet

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 17 day of September 1902.

Bruce C Jones
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Western District.

I, Clayton N Overstreet, a husband of Alice E Overstreet, on oath state that I was present ~~attended on~~ Mrs. Alice E Overstreet, wife of Clayton N Overstreet, on the 27th day of July, 1902; that there was born to her on said date a male (Male or female) child; that said child is now living and is said to have been named Clayton Sengel Overstreet

C. N. Overstreet

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 17th day of September 1902.

Bruce C Jones
Notary Public.

Choctaw 2683
M.C.R.500

Muskogee, Indian Territory, May 7, 1902.

Patchell & Pyeatt,

Pauls Valley, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 3rd instant in which you desire to be advised if Thomas Overstreet has made application to this Commission for enrollment as a member of the Choctaw or Chickasaw Tribe of Indians and if so what action was taken upon the application, if the same was appealed to the United States Court in Indian Territory and if such court rendered judgment for or against the claimant:

Replying to your inquiry you are advised that Thomas C. Overstreet, 49 years of age, of Cowlington, Indian Territory, with his wife Elizabeth and his children Clayton N., Charles A., Dora F., John P., Minnie, Lela, Maggie M. and Russell Overstreet were on June 14, 1899 duly listed for enrollment by this Commission as citizens of the Choctaw Nation having been identified by the Commission from the 1896 census roll of the Choctaw Nation as residents of Skullyville County.

It does not appear that any question has ever been raised as to the citizenship of these persons and that they have

always resided in the Choctaw Nation, Indian Territory. Thomas C. Overstreet, the head of the family above referred to, is an intermarried citizen of the Choctaw Nation having been admitted to such intermarried citizenship by an act of the Choctaw Council

Five Civilized Tribes as an intermarried citizen of the Choctaw Nation under the act of Congress of June 10, 1896.

It further appears from our records that on July 17, 1900, at Muskogee, Indian Territory, Thomas J. Overstreet, 59 years of age, of Purcell, Indian Territory, made application for the identification of himself and his six minor children, Minnie, [illegible]are, Mattie, Hattie, Wilmoth and Coleman Overstreet as Mississippi Choctaws entitled to rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830.

The names of these persons are not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission nor does it appear that they have ever been admitted to citizenship in the Choctaw Nation by the tribal authorities thereof, the Commission to the Five Civilized Tribes or by a decree of the United States Court in the Indian Territory.

Their status is that of applicants for identification as Mississippi Choctaws whose rights have in no manner been determined by the Commission.

It is probable that a decision will be rendered in the

P & P 3

near future relative to the rights of this family to share in the lands of the Choctaw Nation, of which decision they will be duly advised.

If neither of the Thomas Overstreets above referred to is the person concerning whom you desire the information requested in your letter of the 3rd instant, your request will receive further consideration if you will more fully advise us as to the full name and age of the person concerning whom you inquire, and the time and place he made application for enrollment.

Yours truly,

Commissioner in Charge.

T-2683.

Muskogee, Indian Territory, September 18, 1902.

Clayton N. Overstreet,

Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Clayton Bengel Overstreet, infant son of Clayton N. and Alice E. Overstreet, born July 27, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2683

Muskogee, Indian Territory, January 23, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card No. 2683 and the notation thereon which reads:

"No. 4 is now the husband of Lillian P. Overstreet on Choctaw card 736, June 27, 1902"

has this day been changed to read:

"No. 5709"

erasing the words "June 27, 1902. You are therefore, requested to make like corrections upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-2683

Muskogee, Indian Territory, January 23, 1904 .

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card No. 2683 and the notation thereon which reads :

"No. 4 is now the husband of Lillian P. Overstreet on Choctaw card 736, June 27, 1902"

has this day been changed to read:

"No. 5709"

erasing the words "June 27, 1902. You are therefore, requested to make like corrections upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-2683

Muskogee, Indian Territory, May 10, 1906.

John Littlefield,

Braden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Dora F. (Overstreet) Littlefield and John C. Amir to the birth of Thomas Harold Littlefield, child of John and Dora F. (Overstreet) Littlefield, September 22, 1905, and the same have been filed as an application for the enrollment of said child.

Respectfully,

Acting Commissioner.

2684 Isabelle Nail

Choc

2684

CHOCTAW. INDEXED

32

IN RE
THE DEATH OF

Isabela Nail

a citizen of the

Chactaw *Nation.*

Approved OCT 16 1903 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 16 1903

CHAIRMAN.

CHOCTAW.

7-2684

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Isabelle Nail (Here insert name of deceased)
a citizen of the Choctaw Nation, who formerly resided at or near
Iron Bridge (Here insert name of post office), Ind. Ter., and died on the 14th day of
October, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Edward Nail, on oath state that I am 51
years of age and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Garland (Here insert name of post office) Ind. Ter.; that I am
Son (State relationship as the father, an uncle, a cousin, etc.) of Isabelle Nail (Here insert name of deceased),
who was a citizen by Blood, of the Choctaw Nation;
and that said Isabelle Nail (Here insert name of deceased) died on the 14 day of
October, 1900

Edward Nail

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 12th *day of* October 1900

C. C. Jones
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Joseph Garland, on oath state that I am 68
years of age, and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Garland (Here insert name of post office) Ind. Ter.;
that I was personally acquainted with Isabelle Nail (Here insert name of deceased)
who was a citizen by Blood, of the Choctaw Nation;
and that said Isabelle Nail (Here insert name of deceased) died on the 14th day of
October, 1900

Joseph Garland

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 12th *day of* October 1900

C. C. Jones
Notary Public.

George W. Scott

Treasurer Choctaw Nation

Sans Bois, I. T., Aug 20th 1903

Joseph Garland Esq

Tamaha Ft

Dear Sir;

I enclose you at the Governor's request a communication from T B Needles Commission in Charge which makes certain enquiries with reference to Isabelle Nail, You should write the Commission at once relative to the matter and if she is dead you must take steps at once to furnish that proof & have administrator appointed to select her allotment &c. [illegible] Yours truly [illegible] Sec'y

7-2684

Muskogee, Indian Territory, August 15, 1903.

Hon. Green McCurtain,

Kintah, Indian Territory.

Dear Sir:

It appears from our records that on June 14, 1899, Isabelle Nail, 53 years of age, of Ironbridge, Sans Bois County, Choctaw Nation, was duly listed for enrollment as a citizen by blood of the Choctaw Nation.

Letters from this office, recently addressed to her at Ironbridge, Indian Territory, have been returned marked, "Dead." If you knew this person and can refer the Commission to some one who would be able to make formal proof of her death, your action will be duly appreciated. An envelope is enclosed herewith for your reply.

Respectfully,

Commissioner in Charge.

Env.

7-2684

Muskogee, Indian Territory, August 28, 1903.

Joseph Garland,

Tamaha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of recent date stating that Isabelle Nail, of Ironbridge, Indian Territory, died in October 1900.

Enclosed herewith you will find a blank for proof of death, which you are kindly requested to have properly executed and return to this office at your earliest convenience, in the enclosed envelope.

Respectfully,

Chairman.

Env.

D. C.

7-2684

Muskogee, Indian Territory, October 16, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2684:

"No. 1 died Oct. 14, 1900. Proof of death filed Oct. 16, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

7-2684

Muskogee, Indian Territory, October 16, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2684:

"No. 1 died Oct. 14, 1900. Proof of death filed Oct. 16, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

7-2684

Muskogee, Indian Territory, October 16, 1903.

Edward Nail,

Garland, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Joseph Garland relative to the death of your mother, Isabelle Nail, a citizen by blood of the Choctaw Nation, which occurred October 14, 1900; and the same have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.

Isarelle Nail,

~~Ross Bridge~~,

Ind.Ter.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

At a special election held in the Choctaw and Chickasaw Nations, September 25, 1902, there was ratified by the citizens of these two tribes an Act of Congress approved July 1, 1902, and entitled, "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes."

This agreement as so ratified and now effective, provides that the rolls of the citizens of the Choctaw and Chickasaw Nations and Choctaw and Chickasaw freedmen shall be made as of the date of the final ratification of such agreement.

Section 34 of said agreement provides as follows:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as 'delinquents,' and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement: but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

For the purpose of the enrollment of those classes of persons as provided by section 34 above quoted, the Commission to the Five Civilized Tribes will be in session at the following designated places on the dates given:

Chickasha, Chickasaw Nation,	***October 15th to 17th, inclusive.***
Pauls Valley, Chickasaw Nation,	***October 20th to 24th, inclusive.***
Ardmore, Chickasaw Nation,	***October 27th to 31st, inclusive.***
Tishomingo, Chickasaw Nation,	***November 3rd to 7th, inclusive.***
Ada, Chickasaw Nation,	***November 10th to 14th, inclusive.***
Atoka, Choctaw Nation,	***November 17th to 21st, inclusive.***
Kullituklo, Choctaw Nation,	***November 24th to 28th, inclusive.***
Antlers, Choctaw Nation,	***December 1st to 5th, inclusive.***
Tushkahomma, Choctaw Nation,	***December 8th to 12th, inclusive.***
Wister, Choctaw Nation,	***December 15th to 19th, inclusive.***
South McAlester, Choctaw Nation,	***December 22d to 24th, inclusive.***

After December 24th, 1902, the Commission will be without authority to receive the application of any person whomsoever for enrollment as a citizen or freedman of either the Choctaw or Chickasaw Nations.

The appointments above designated will be the last opportunity afforded citizens of the Choctaw and Chickasaw Nations to present their applications.

It is necessary that the status of all intermarried citizens on September 25, 1902, be determined and citizens by intermarriage should avail themselves of this opportunity to present testimony showing their status on that date.

The Commission will also at these appointments receive applications for the enrollment of infant children born prior to September 25, 1902, and proofs of death of citizens and freedmen previously listed for enrollment but who died prior to said date.

No original applications for the enrollment of persons whose names are not on the tribal rolls or applications for identification as Mississippi Choctaws will be heard at these appointments.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Muskogee, I. T. October 4, 1902.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Cowlington I.T. (Delivering office.)

Registered {Letter / Parcel} No. 10430, from MUSKOGEE, IND. TER.

Addressed to Thos. G. Overstreet (Name or addressee.)

Date ..... (Date of delivery.) , 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in the receipt.

T. G. Overstreet (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article addressed to ... delivered to anyone but the addressee, except upon the addressee's written order. When the signed receipt is returned it must be postmarked with name of delivering office and actual date of delivery and mailed to the address written on envelope or postage.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

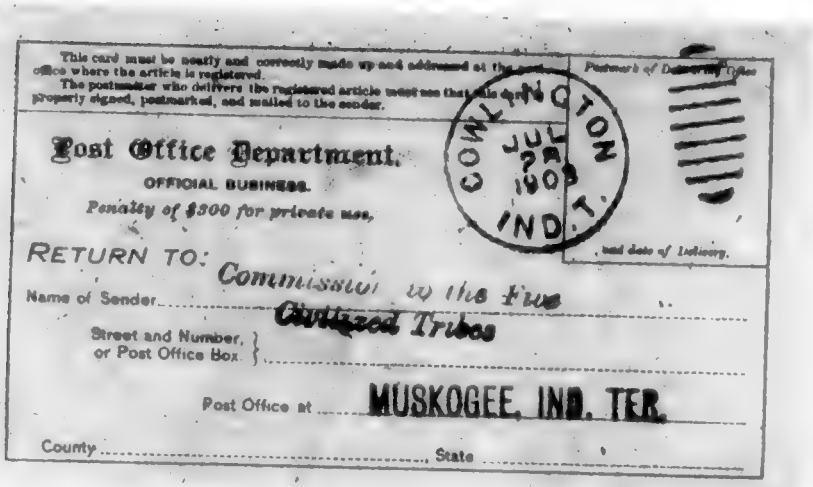
RETURN TO: Commission to the Five Civilized Tribes

Name of Sender .....

Street and Number, or Post Office Box .....

Post Office at MUSKOGEE, IND. TER.

County ..... State .....



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

COWLINGTON JUL 28 1903 IND. T.

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

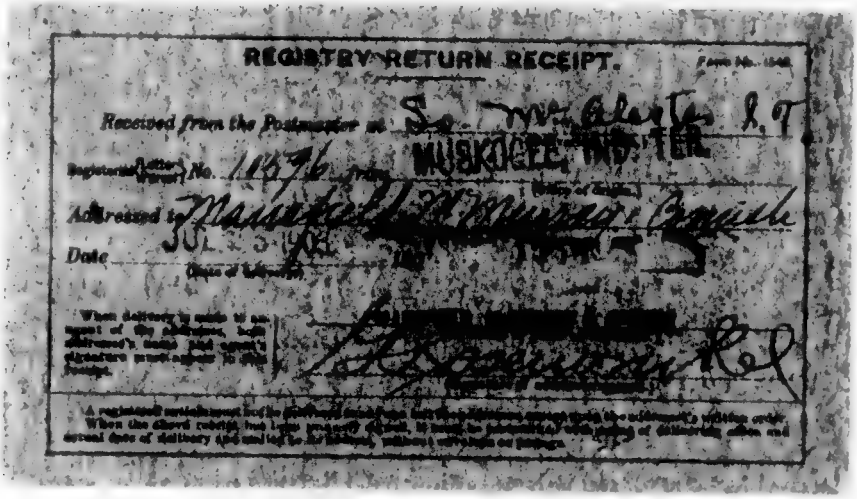
RETURN TO:

Name of Sender Commission to the Five Civilized Tribes

Street and Number, or Post Office Box

Post Office at MUSKOGEE, IND. TER.

County ..... State .....



REGISTRY RETURN RECEIPT. Form No. 1548

Received from the Postmaster at So. McAlester I. T.

Registered (Letter Forward) No. 11576 from MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Mansfield, McMurray & Cornish

Date JUL 3 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

[illegible]

A registered article must not be delivered [illegible] the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the addressee, without envelope or postage.

2685 Robert L. McCarty Choc

Granted Dec 28, 1905

2685

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

Lizzie Y. McCarty ---------- 7 D-715.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, May 5, 1902.

In the matter of the application of Lizzie Y. McCarty for enrollment as a citizen by intermarriage of the Choctaw Nation.

Lizzie Y. McCarty, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission.

Q What is your name? A Lizzie Y. McCarty.
Q How old are you? A Twenty one.
Q What's your post office address? A Spiro, Indian Territory.
Q How long have you resided in the Indian Territory? A I don't know just how long I have. I was about seven or eight years old, I reckon, when I come to the Territory.
Q Have you lived here ever since that time? A Yes, sir.
Q In the Choctaw Nation? A No, sir.
Q Where have you lived? A I have lived in the Creek, Nation, Choctaw Nation, and Cherokee Nation.
Q How long have you lived in the Choctaw Nation? A Ever since January.
Q This present year? A Yes, sir.
Q What is your father's name? A Richard Young.
Q Is he living? A Yes, sir.
Q What is your mother's name? A Harriet.
Q Is she living? A Yes, sir.
Q Your parents both white persons? A Yes, sir.
Q Citizens of the United States? A Yes, sir.
Q Have either one of them ever made any claim to citizenship in any tribe of Indians? A No, sir.
Q Have you ever made any claim to citizenship by blood in any tribe of Indians? A No, sir.
Q Have you ever drawn or received any benefits as a member of any tribe of Indians? A No, sir.
Q You are an applicant at this time for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, sir.
Q What's the name of your Choctaw husband? A R. L. McCarty.
Q What's his full given name? A Robert L. McCarty. That's all I know
Q Is he a citizen by blood of the Choctaw Nation? A Yes, sir.
Q Has he always been recognized by the tribal authorities as such citizen? A Yes, sir.
Q How old is he? A Thirty eight years old.

By Commission:
The name of the applicant's husband, Robert L. McCarty, is found upon the records of the Commission on Choctaw Roll Card, Field Number 2685, as a citizen by blood of the Choctaw Nation, having been duly identified on the 1896 Census Roll of the Choctaw Nation, as a resident of Skullyville County.

Lizzie Y. McCarty, 2.

Q When did you marry Robert L. McCarty? A January first.
Q What year? A 1902.
Q Where did you marry him? A In Eufaula.
Q Who married you? A A. Lee Boyd.
Q Married to him under a United States license? A Yes, sir.

By Commission:
There is offered in evidence, identified as Exhibit "A", filed, and made a part of the record in this case, the marriage license and certificate of R. L. McCarty and Miss Lizzie Young, the license having been issued by the Clerk of the United States Court for the Northern District of Indian Territory, December 31, 1901, the marriage having been performed by A. Lee Boyd, January 1, 1902.

Q Were you ever married to any other person before you married Mr. McCarty? A No, sir.
Q Was he ever married to any other woman? A Yes, sir.
Q To whom? A Nannie Casson.
Q Is she living? A No, sir.
Q When did she die? A About five years ago.
Q Is the marriage between you and Mr. McCarty under this United States license the only marriage that has ever been performed?
A Yes, sir.
Q Are you still living with your husband? A Yes, sir.
Q Been no separation or divorce since this marriage? A No, sir.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause at Muskogee, Indian Territory, on the fifth day of May, 1902, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Muskogee, Indian Territory, this fifth day of May, 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WINTER, I.T. Dec.17, 1902.

7-D715

In the matter of the application of Lizzie Y. McCarty for enrollment as an inter married citizen of the Choctaw Nation.

Lizzie Y. McCarty being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Lizzie Y. McCarty.
Q How old are you? A Twenty two.
Q What is your post office address? A Spiro, I.T.
Q How long have you been a resident of the Choctaw Nation? A Twelve years.
Q Have you lived here continuously for the past 12 years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife husband through whom you claim these rights? A Robert L. McCarty.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Robert McCarty? A January 1, 1902.
Q Where was this marriage ceremony performed? A Near Eufala.
Q In the Creek Nation? AYes sir.
Q At that time were you living in the Creek Nation? A Yes sir.
Q You stated just before that you had lived here for 12 years in the Choctaw Nation? A Well, I never lived in the Creek Nation but one year; I lived in the Choctaw Nation before.
Q Is that one year you were in the Creek Nation the only time you were outside of the Choctaw Nation during the 12 years? AYes sir.
Q What year was that you were in the Creek Nation? A 1902.
Q This present year? A No sir, 1901.
Q It was the year before you were married? A Yes sir.
Q Who performed the marriage ceremony? A A.Lee Boyd.
Q A minister of the gospel? A Yes sir.
Q Were you married under a license? A Yes sir, United States.
Q Were you ever married prior to your marriage to Robert L. McCarty? A No sir.
Q Was he ever married before he married you? A Yes, once.
Q What was the name of his former wife? A Nannie Casely.
Q Was she dead at the time of your marriage to him? AYes sir.
Q Since that marriage to Robert L. McCarty have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on December 17, 1902, and that the above and foregoing is a full, true and correct transcript

of his stenographic notes in same.

Henry S. Sams

Subscribed and sworn to before me this 7 day of January, 1903.

Charles H Sawyer

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

NOV 19 1903

CHAIRMAN.

United State of America.
Indian Territory, Central District.
On This The 16th day of November, A.D. 1903, personally appeared before Me, J Wesley Smith, a Notary Public within and for The Central District of The Indian Territory, Liggie Y. McCarty, Wife of Robert L. McCarty, and ~~after~~ being duly sworn by me, Made the follow statements to wit:
My name is Liggie Y. McCarty. My Post Office is Scipio, Indian Territory, I am the lawfull wife of Robert L. McCarty, a citizen by blood of The Choctaw Nation.
At The Time we were married, on January the first, 1902. My husband, Robert L. McCarty lived in The Choctaw Nation, and his Post Office was Spiro, Indian Territory, in Said Nation.
Witness my hand at Spiro, I.T. This The 16th day of November 1903.

Liggie Y. McCarty.

Subscribed and sworn to be me this The 16th day of November, 1903.

J. Wesley Smith. Notary Public

My Com. Ex. Oct. 24, 1905.

CERTIFICATE OF RECORD.

United States of America, } ss.
INDIAN TERRITORY,
Northern District.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the 3 day of Jany 190 2 at — M., and duly recorded in Book S, Marriage Record, Page 485

WITNESS my hand and seal of said Court at Muskogee, in said Territory this 8 day of Jany, A. D. 190 2.

Chas A Davidson, Clerk.

By ..... Deputy.

NORTHERN DIST. IND. TER.
FILED
JAN 8 1902
CHAS. A. DAVIDSON,
Clerk, U. S. Courts.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 5 1902
ACTING CHAIRMAN.

CHOCTAW
P 715

Box A.

MARRIAGE LICENSE

United States of America, INDIAN TERRITORY, Northern District } ss. No. 596

To Any Person Authorized by Law to Solemnize Marriage---Greeting:

You are Hereby Commanded *to solemnize the Rite and publish the Banns of Matrimony between Mr* R. L. McCarty *of* Spiro *, in the Indian Territory, aged* 38 *years, and Miss* Lizzie Young *of* Spiro *, in the Indian Territory, aged* 21 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and official seal at Muskogee, Indian Territory, this 31st *day of* December *, A. D. 1901*

Chas. A. Davidson
Clerk of the U. S. Court

By Wm R Shackelford *Deputy.*

CERTIFICATE OF MARRIAGE.

United States of America, INDIAN TERRITORY, Northern District. } ss.

I, A. Lee Boyd *, a Minister of the Gospel,*

DO HEREBY CERTIFY, that on the 1st *day of* January *, A D 190*2

I did duly and [illegible] the Banns of Matrimony between the parties therein named.

WITNESS my hand this 2nd *day of* January *, A D 190*2

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District,

Book *, Page*

A. Lee Boyd
A Minister of the Gospel

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the license was issued will be liable in the amount of One Hundred Dollars ($100.00)

Comm'r

Dch

7 D-715.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

------:::------

In the matter of the application for the enrollment of Lizzie Y. McCarty as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Lizzie Y. McCarty (nee Young), on January 1, 1902 was lawfully married to Robert L. McCarty, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7825 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage the said Robert L. McCarty was a resident in good faith of the Choctaw Nation and the applicant herein was a resident of the Creek Nation and the said parties have lived together continuously in Indian Territory as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lizzie Y. McCarty should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
FEB 27 1904

Choctaw D-715

Muskogee, Indian Territory, February 27, 1904.

Lizzie Y. McCarty,

Scipio, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 27, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen by intermarriage of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the intermarried citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc.7-D715.

Choctaw D-715

Muskogee, Indian Territory, February 27, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 27, 1904, granting the application of Lizzie Y. McCarty for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen by intermarriage of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, her name will be placed upon the final rolls of the citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Commissioner in Charge.

Registered.
Enc.7-D715.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Claude A. & Lloyd S. McCarty as Choctaws by blood. Isam Watkins being sworn and examined by Com'r McKennon testifies:

Name is Isam Watkins, forty-five years old.

Q Are you acquainted with Robert McCarty? A Yes sir.

Q He is a Choctaw citizen? A I think so, he is recognized as such.

Q His wife is a white woman? A Yes sir.

Q Do you know anything about their marriage? A I was at their wedding, I saw them married.

Q Who solemnized the right? A A preacher by the name of Lowery.

Q Where? A In the Choctaw Nation, Sans Bois County.

Q About when was that? A It was in '90. I think July, 1890.

Department of the Interior,

Commission to the Five Civilized Tribes

[illegible] as [illegible] this [illegible] of [illegible]

M D Green

Department of the Interior,

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, May 5,1902.

In the matter of the application for the enrollment of Mary A. McCarty as a citizen of the Choctaw Nation, Choctaw Roll Card, Field Number 2685.

Robert L. McCarty, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

Q What is your name? A Robert L. McCarty.
Q You are a citizen by blood of the Choctaw Nation? A Yes, sir.
Q Always been recognized and enrolled by the tribal authorities as such citizen? A Yes, sir.
Q How many times have you been married? A Twice.
Q What was the name of your first wife? A Nannie Keithly.
Q Did you have any children by her? A Have two living.
Q What are their names? A Claude A. and Lloyd S.
Q Did you have a child by your wife, Nannie, named Mary?
A No, sir.
Q Did you ever have a child named Mary? A It is so said. That's the illegitimate child you speak of.
Q When were you married to Nannie McCarty? A In 1890.
Q Did you ever live with any other woman before you married her?
A No, sir, never lived with any.
Q Did you ever have a child by the name of Mary A McCarty? A I can't answer any more than what you know about it; the child's mother said it was my child.
Q Mary A. McCarty was the illegitimate child of a white woman with whom you never lived? A No, sir.
Q Who was the mother of this child? A Lucy Beaty.
Q Was Lucy Beaty living with any other man at the time this child was born? A No, sir.
Q What do you know about her? A Well, pretty nice girl, I thought; married since; she's a married woman now.
Q Where was she libing at the time this child was born? A In Skullyville County.
Q Were you living with her? A No, sir.
Q Did you ever live with her? A No, sir, never did live with her as man and wife.
Q Did you ever acknowledge this child as your child? A Yes, sir.
Q Ever legally adopt this child? A No, sir, I don't know as there was any legal form to adopt it in the Choctaw Nation; I inquired about it, and they said there wasn't any; they said me being a white man couldn't recognize her as a citizen at that time.
Q I am not talking about the citizenship rights of the child. Did you ever adopt the child, and acknowledge that this child was your child? A Yes, sir, but not in any court.
Q Where is this Mary A. McCarty now? A I don't know; I understood she was dead.

Q Where did you get that information? A I got it from a family in the State.
Q This child is living in Arkansas now? A Yes, sir.
Q Has she ever lived in the Indian Territory? A Yes, sir.
Q When? A She lived in the Territory up until about three years ago - or three and and a half, somewhere along there.
Q Well, your best information, then, is that Mary A. McCarty is dead? A Yes, sir; of course, I couldn't swear positively that she is. I never saw her dead, and never saw anybody that did see her dead.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause at Muskogee, Indian Territory, on the fifth day of May, 1902, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause u upon said date.

R. S. Streit

Subscribed and sworn to before me at Muskogee, Indian Territory, this 8 Day of May, 1902.

Charles H. Sawyer
Notary Public.

7-2685.

Muskogee, Indian Territory July 6, 1905.

Robert L. McCarty,

Scipio, Indian Territory.

Dear Sir:

On May 5, 1902 you testified that to the best of your knowledge and belief Mary A. McCarty, your daughter, was dead. This office has not been furnished with proof of her death.

For the purpose of making her death a matter of record there is inclosed herewith a blank which you are requested to have filled out, properly executed and return with as little delay as possible.

You will note that there is a blank for the affidavit of a relative and of an acquaintance of the deceased. In having the same executed be careful to see that all blanks are properly filled, all names written in full and that the notary public before whom the affidavits are acknowledged attaches his name and seal to each separate affidavit. In case any signature is by mark it must be attested by two disinterested persons witnesses thereto.

Respectfully,

Tams Bixby

Commissioner.

D C
Env.

Scipio, I. T.

Aug 2-1905

Commission to the Five Tribes,

It seems that I was not plain enough in my letter of July 15, 1905. My child Mary A. McCarty is not dead, and that is the point I corrected before the enrolling commission at Wister in December 1902. I can give proof that she is liveing but cant fill out the blank you send me.

Respectfully,

R. L. McCarty.

7-2685.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary A. McCarty as a citizen by blood of the Choctaw Nation.

- - : D E C I S I O N . - -

It appears from the census card record in this case that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes for the enrollment of Mary A. McCarty as a citizen by blood of the Choctaw Nation.

It further appears from the record herein, and from the census card record in this case, that said applicant was born in the Indian Territory in 1889, and is the illegitimate daughter of Robert L. McCarty, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 7825 upon the lists prepared by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior January 17, 1903, and Lucy Beaty, a non-citizen white woman.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that Mary A. McCarty is identified upon the 1896 Choctaw Census Roll, Skullyville County, No. 9063.

It further appears from the record herein that said applicant was a resident in good faith of Indian Territory on June 28, 1898.

I am therefore of the opinion that Mary A. McCarty should be enrolled as a citizen by blood of the Choctaw Nation under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

_____.

7-2685.

Muskogee, Indian Territory, December 28, 1905.

Robert L. McCarty,

Scipio, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1905, granting the application for the enrollment of your daughter, Mary A. McCarty, as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, her name will be placed upon the final roll of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Commissioner.

Registered.
Incl. 7-2685.

7-2685.

Muskogee, Indian Territory, December 28, 1905.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1905, granting the application for the enrollment of Mary A. McCarty as a citizen by blood of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the enrollment of this applicant. If at the expiration of said time no protest has been filed, her name will be placed upon the final roll of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for approval.

Respectfully,

Commissioner.

Registered.
Incl. 7-2685.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED
OCT 7 - 1905

COMMISSIONER.

A F F I D A V I T.

In the matter of the application of Mary A M'Carty now of the age of fifteen years, as a citizen and member of the Choctaw Tribe of Indians in the Indian Territory,

Comes now Jane Page and after being duly sworn as the law directs states and avers in relation to the afforesaid claim as follows to-wit: My name is Jane Page my age is 72 years my Post Office is Pocola Choctaw Nation Indian Territory, I am well and personally acquainted with the claimant in this case Mary A M'Carty, and have known her for the past 15 years I know her Father Robert L.M'Carty, who is a Citizen of the Choctaw Nation andan Indian by blood I have known said Robet L.M'Carty for the past 40 years, well and personally I know that Mary A.M'Carty the claimant is now living and is living near Pocola Choctaw Nation Indian Territory,.

I furthe know that the report of her death was a mistake or false report, and that she is now living.

Witness L. B. Stanfield. Jane Page her mark

Mary A. Pryor

Su[illegible] and sworn to before me at my offce this the 21 day of September 1905.

W. F. Lester

Notary Public.

My Commission [illegible] on the first day of February 1906

DEPARTMENT OF THE INTERIOR
COMMISSION FOR TO THE FIVE CIVILIZED TRIBES
FILED
OCT 7 1905
COMMISSIONER

AFFIDAVIT.

In the matter of the application of Mary A M'Carty now of the age of fifteen years, as a citizen and member of the Choctaw Tribe of Indians in the Indian Terr tory.

Comes now ---Mitchell Ingram--- and after being duly sworn as the law directs states and avers in relation to the afforesaid claim as follows to-wit. My name is ---Mitchell Ingram--- my age is 44 years my Post Office is ---Krebs--- Choctaw Nation Indian Terr-itory, I am well and personally acquainted with the claimant in this case Mary A M'Carty, and have known her for the past 44 years I know her father Robert L.M'Carty, who is a Citizen of the Choctaw Nation and an Indian by blood I have known said Robert L.M'Carty for the past 44 years, well and personally I know that Mary A.M'Carty the claimant is now living and is living near Pocoa

A F F I D A V I T.

In the matter of the application of Mary A M'Carty now of the age of fifteen years, as a citizen and member of the Choctaw Tribe of Indians in the Indian Territory,

Comes now Morris Lefores and after being duly sworn as the law directs states and avers in relation to the afforesaid claim as follos to-wit. My name is Morris Lefores my age is 31 years my Post Office is Poola Choctaw Nation Indian Terr-itory, I am well and personally acouainted with the claimant in this case Mary A M'Carty,and have known her for the past 14 years I know her Father Robert L.M'Carty,who is a Citizen of the Choctaw Nation andan Indian by blood I have known said Robet L.M'Carty for the past 20 years,well and personaly I know that Mary A.M'Carty the claimant is now living and is living near Pocoa Choctaw Nation Indian Territory,.

I furthe know that the report of her death was a mistake or false report, and that she is now living.

Morris Lefores

Subscribed and sworn to before me at my offce this the 21 day of September 1905.

M F Liston

Notary Public.

My Commission Ex pires on the 1st day of February 1906.

C O P Y .

7-2685

Muskogee, Indian Territory, July 6,1905

Robert L. McCarty,
Scipio, Indian Territory.

Dear Sir:

On May 5, 1902 you testified that to the best of your knowledge and belief Mary A. McCarty, your daughter, was dead. This office has not been furnished with proof of her death.

For the purpose of making her death a matter of record there is enclosed herewith a blank which you are requested to have filled out, properly executed and return with as little delay as possible.

You will note that there is a blank for the affidavit of a relative and of an acquaintance of the deceased. In having the same executed be careful to see that all blanks are properly filled, all names written in full and that the notary public before whom the affidavits are acknowledged attaches his name and seal to each separate affidavit. In case any signature is by mark it must be attested by two disinterested persons witnesses thereto

Tams Bixby,
Commissioner.

D.C.
Env.

C O P Y .

Scipio, I. T. Aug 2-1905.

Commission to the Five Tribes.

It seems that I was not plain enough in my letter of July 15, 1905. My child Mary A. McCarty is not dead, and that is the point I corrected before the enrolling commission at Wister in December 1902. I can give proof that she is liveing but cant fill out the blank you sent me.

Respectfully,

R. L. McCarty.

7-2685.

Muskogee, Indian Territory, December 28, 1905.

COPY.

Robert L. McCarty,

Scipio, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1905, granting the application for the enrollment of your daughter, Mary A. McCarty, as a citizen by blood of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, her name will be placed upon the final roll of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Commissioner.

Registered.
Incl. 7-2685.

7-2685.

Muskogee, Indian Territory, December 28, 1905.

Copy

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered December 28, 1905, granting the application for the enrollment of Mary A. McCarty as a citizen by blood of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the enrollment of this applic nt. If at the expiration of said time no protest has been filed, her name will be placed upon the final roll of citizens by blood of the Choctaw Nation to be submitted to the Secretary of the Interior for approval.

Respectfully,

Tams Bixby

Commissioner.

Registered.
Incl. 7-2685.

Choctaw 2685

Muskogee, Indian Territory, October 9, 1905.

R. L. McCarty,

Scipio, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 4, inclosing affidavits of Jane Page and Montie Leforce that your daughter, Mary A. McCarty is still living, which you offer in support of her application for enrollment as a citizen by blood of the Choctaw Nation, and the same have been filed with the record in this case.

Respectfully,

Commissioner.

7-2685

Muskogee, Indian Territory, August 7, 1905.

R. L. McCarty,

Scipio, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 2, 1905, returning the blank death certificate inclosed with office letter of July 24, and stating that you cannot execute this blank for the reason that your child Mary A. McCarty is still living.

In reply to your letter you are advised that if you claim your child Mary A. McCarty is now living it will be necessary for you to introduce testimony of witnesses to this fact, as you stated to the Commission to the Five Civilized Tribes in your testimony of May 5, 1902, that you understood this child was dead.

Respectfully,

Commissioner.

7-2685

Muskogee, Indian Territory, July 24, 1905.

A. L. McCarty,

Scipio, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 15, 1905, in which you say that the statement made by you on May 5, 1902, in regard to the death of your child Mary A. McCarty was only hearsay and you state you corrected the same in December of that year before the Enrolling Commission at Wister; you ask if you are now entitled to select land for your child Mary A. McCarty.

In reply to your letter you are advised that there being a question as to the date of the death of this child her name has not yet been placed upon a schedule of citizens by blood of the Choctaw nation prepared for forwarding to the Secretary of the Interior and before further consideration can be given this case it will be necessary for you to execute the affidavits of death inclosed herewith showing the correct date of the death of Mary A. McCarty and return the same to this office.

Respectfully,

D.C. Commissioner.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
Choctaw-2685.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, August 18, 1904.

Robert L. McCarty,

Spiro, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of your daughter, Mary A. McCarty, as a citizen by blood of the Choctaw Nation, it will be necessary, before her rights as such citizen can be determined, for you to appear in person before the Commission in order that you may be examined under oath relative to the rights of your said daughter.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory at any time; or you may appear at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

Choctaw 2685

Muskogee, Indian Territory, April 29, 1902.

R. L. McCarty,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, in which you state that you are a citizen by blood of the Choctaw Nation and have recently married a white woman whom you wish to have enrolled as a citizen by intermarriage of the Choctaw Nation, and desire to be informed if the Commission will enroll your wife upon the making ofan application before some notary public and the forwarding of her marriage license and certificate to the Commission.

You are advised that if you have since the time you were listed for enrollment by this Commission, married a white woman, citizen of the United States whom you now desire to have listed for enrollment by this Commission as a citizen by intermarriage of the Choctaw Nation, it will be necessary for your wife to personally appear before the Commission at its office at Muskogee, Indian Territory, for the purpose of examination under oath, at which time the Commission will accept for its consideration any evidence of her marriage to a citizen of the Choctaw Nation as may be presented.

R L McC 2

Until this personal appearance no record can be made or consideration given the application of your wife for enrollment as a citizen by intermarriage of the Choctaw Nation.

It is advisable in view of the possibility of some early date being fixed or agreed upon for the termination of the time within which the Commission can receive applications for enrollment as citizens of the Choctaw Nation, that if your wife anticipates making such application that she do so as early as practicable.

Yours truly,

Commissioner in Charge.

7 D - 715.

Muskogee, Indian Territory, November 9, 1903.

Lizzie Y. McCarty,

Spiro, Indian Territory,

Dear Madam:

It appears from the records of the Commission that you are an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming your rights thereto by virtue of your marriage to Robert L. McCarty, a citizen by blood of the Choctaw Nation, but there does not appear to be any evidence on file showing the residence of your husband at the time of his marriage to you.

You are advised that it will be necessary for you to furnish the Commission with a sworn statement, showing the residence of your husband, Robert L. McCarty, at the time of his marriage to you.

This matter should receive your immediate attention, as no further consideration can be given your application as a citizen by intermarriage of the Choctaw Nation until such sworn statement is furnished.

Respectfully,

Commissioner in Charge.

7-D-715

Muskogee, Indian Territory, November 19, 1903.

J. Wesley Smith,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., enclosing the affidavit of Lizzie Y. McCarty relative to the residence of her husband, Robert L. McCarty, at the time of her marriage to him; and the same has been duly filed with the records of the Commission in the matter of her application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

Choctaw-2685.

Muskogee, Indian Territory, August 18, 1904.

Robert L. McCarty,

Cairo, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of your daughter, Mary A. McCarty, as a citizen by blood of the Choctaw Nation, it will be necessary, before her rights as such citizen can be determined, for you to appear in person before the Commission in order that you may be examined under oath relative to the rights of your said daughter.

You are, therefore, requested to appear before the Commission at its general office, Muskogee, Indian Territory at any time; or you may appear at the Choctaw Land Office, Atoka, Indian Territory on September 6-7, 1904; or at the Chickasaw Land Office, Tishomingo, Indian Territory, September 8-9, 1904.

Respectfully,

Commissioner in Charge.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivery Office

and Date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender.....

Street and Number, or Post Office Box. }.....

Commission to the Five Civilized Tribes

MUSKOGEE,

INDIAN TERRITORY.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivery Office

and Date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender.....

Street and Number, or Post Office Box. }.....

Commission to the Five Civilized Tribes

Post Office at MUSKOGEE, IND. TER.

County..... State.....

REGISTRY RETURN RECEIPT. Form No. 1548

Received from the Postmaster at Scipio I.T. (Delivering office.)

Registered {Letter / Parcel} No. 20851 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to Robert L. McCarty (Name of addressee.)

Date [illegible] 1902 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Robert L. McCarty (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at South McAlester I.T. (Delivering office.)

Registered {Letter / Parcel} No. 20854 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to Mansfield, McMurray & Cornish (Name of addressee.)

Date 12-30- 1905 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mansfield McMurray & Cornish (Signature or name of addressee.)

[illegible] (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Scipio I.T. (Delivering office.)

Registered {Letter / Parcel} No. 10316, *from* MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Lizzie Y. McCarty (Name of addressee.)

Date March 4, 1904 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Lizzie Y. McCarty (Signature or name of addressee.)

R. L. McCarty (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

MAR 5

2686 Edward Harkins Choc

2686

7-2686
7-2746

Muskogee, Indian Territory, December 24, 1902.

M.V. Newman,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Adam Hawkins, infant son of Edward and Mandy Hawkins, born March 10, 1901; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

2687 Elijah Culberson

Choc

2687

IN RE

Application for Enrollment of

INFANT CHILD.

Ida E Culberson

As a citizen of the

Shawnee Nation.

Approved Oct. 6 1899

Commissioner.

7-1687

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Ida Eloise, born on the 10 day of August, 1899.

Name of father: E. W. Culberson, a citizen of the Choctaw Nation.

Name of mother: Sarah E. Culberson, a citizen of the Choctaw Nation.

Post Office: Spiro. I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Sarah E Culberson, on oath, state that I am 23 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Elijah W Culberson who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 10 day of August, 1899; that said child has been named Ida Eloise —, and is now living.

Sarah E Culberson

Subscribed and sworn to before me this 19 day of September, 1899.

Frank E Parks
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Frank K. Johnson, a Physician on oath, state that I attended on Mrs. Sarah E. Culberson, wife of Elijah W. Culberson on the 10 day of August, 1899; that there was born to her on said date a girl child; that said child is now living and is said to have been named Ida Eloise.

Frank K. Johnson M. D.

Subscribed and sworn to before me this 19 day of September, 1899

Frank E. Parks
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Georgia Culberson

As a citizen of the

Choctaw Nation.

Approved [illegible] 1 8 [illegible]

[illegible] Commissioner.

331

7-2187

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Creeks Nation,

of Georgia Cameron, born on the 3 day of Oct, 1897.

Name of father: [illegible], a citizen of the Creeks Nation.

Name of mother: Sarah E. Cameron, a citizen of the Creeks Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sarah E. Cameron, on oath, state that I am 21 years of age and a citizen, by Blood, of the Creeks Nation; that I am the lawful wife of [illegible] who is a citizen, by Blood, of the Creeks Nation; that a [illegible] child was born to me on the 3rd day of Oct, 1897; that said child has been named Georgia Cameron and is now living.

Sarah E. Cameron.

Subscribed and sworn to before me this 19th day of [illegible], 1897.

[illegible]

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, [illegible], a [illegible], on oath, state that I attended on Mrs. [illegible], wife of [illegible] on the 3rd day of Oct, 1897; that there was born to her on said date a [illegible] child; that said child is now living and is said to have been named [illegible].

Mary Jane Millfield

Subscribed and sworn to before me this 19th day of [illegible], 1897.

[illegible]

Notary Public.

Marriage certificate of E. W. Culberson and Miss Sarah Ward recorded on page 677 in record Book No- of the Skelly-Ville County records.

E. W. Culberson
Clerk

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 19 1902

[illegible]
ACTING CHAIRMAN
[illegible]

I do certify that I have this
day joind Mr. E. W. Colberson
and miss Sarah Ward ~~In~~ to gether
in the Holy Bonds of mattimony
acordin to laws of the Choctaw
Nation this the 23 day of
DEC ~~1879~~ 1896

[illegible]

[illegible]

CHOCTAW. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Nellie Lumina Culberson

as a citizen of

Choctaw

~~Nellie Lumina Culberson~~ Nation.

Approved SEP 19 1902 190....

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 19 1902

ACTING CHAIRMAN

[A.W.]

2657

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Nellie Luvinia Culberson, born on the 25 day of July, 1902
(Here insert name of child)

Name of Father: Elijah W. Culberson a citizen of the Choctaw Nation.

Name of Mother: Sarah Evaline Culberson a citizen of the Choctaw Nation.

Post-office Spiro Indian Territory

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Central INDIAN TERRITORY District.

I, Sarah Evaline Culberson, on oath state that I am 25 years of age and a citizen, by blood, of the Chocktaw Nation; that I am the lawful wife of Elijah W. Culberson, who is a citizen, by blood, of the Choctaw Nation; that a female (male or female.) child was born to me on 25-th day of July 1902; that said child has been named Nellie Luvinia Culberson, and is now living.

Sarah Evaline Culberson

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 15-th *day of* Sept 1902

J Wesley Smith
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
Central INDIAN TERRITORY. District,

I, Nancy Jane Villkett, a Midwife, on oath state that I attended on Mrs. Sarah Evaline Culberson, wife of Elijah W. Culberson on the 25-t day of July, 1902, that there was born to her on said date a female (male or female.) child; that said child is now living and is said to have been named Nellie Luvinia Culberson Nancy Jane Villkett

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 15 *day of* Sept. 1902

J Wesley Smith
NOTARY PUBLIC

7-2087.

Muskogee, Indian Territory, September 19, 1902.

J. Wesley Smith,
Attorney at Law,
Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Nellie Luvinia Culberson, infant daughter of Elijah W. and Sarah Evaline Culberson, born July 25, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the certificate of marriage between E.W. Culberson and Sarah Ward, and the same has been duly filed in the matter of the application for the enrollment of the above named child.

Respectfully,

Acting Chairman.

7-2687

Muskogee, Indian Territory, March 7, 1906.

Elijah Culberson,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Sarah E. Culberson and Nancy J. Willkett to the birth of Jennie E. Culberson, January 1, 1906.

You are advised that at present there is no authority for the enrollment of children born subsequent to March 3, 1905, but in the event of additional legislation, you will be notified.

Respectfully,

Acting Commissioner.

2688 Lawrence 6. Hickman Choc

8892

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

LAWRENCE Q. HICKMAN, 7-2688.

Department of the Interior
Commission to the Five Civilized Tribes
Wister, I. T., December 18th, 1902.

Choctaw 2688
Intermarried

---------oOo---------

In the matter of the application of Lawrence Q. Hickman for enrollment as an intermarried citizen of the Choctaw Nation.

Lawrence Q. Hickman being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Lawrence Q. Hickman.
Q How old are you? A I will soon be thirty-four--in May.
Q What is your post office address? A Spiro.
Q How long have you been a resident of the Choctaw Nation?
A I have been a resident thirty-three years.
Q Have you lived here continuously for the past thirty-three years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Lizzie Lewis.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to Lizzie Lewis? A I was married in 1896, October the 29th.
Q Where was this marriage ceremony performed? A Reichert, seventeen or eighteen miles east of here.
Q Inthe Choctaw Nation? A Yes sir.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A From the county clerk.
Q Of what county? A Of Wade county.
Q How much did you pay for the license? A One hundred dollars.
Q Who performed the marriage ceremony? A Willis F. Folsom, minister of the gospel.
Q Were you ever married previous to your marriage to Lizzie Lewis?
A No sir.
Q Was she ever married previous to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

- - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles Hexamer

Notary Public.

Marriage License
of
L. G. Hickman

Subscribed and
sworn to before
me this the 21st
day of Nov. 1896

D. S. Nash
Clerk of Wade
Choctaw Nation.

Received on record
Book No. 3. Page 146
this the 4th day of
Dec-A. D. 1896.
D. S. Nash
Clerk of Wade
Co- C. N.

Marriage License

Know all men by these presents:

Know ye that I. J. S. Noah
County Clerk of Kiamichi County
Choctaw Nation by virtue of the
Authority in me vested by the
Constitution and Laws of the
Choctaw Nation, do hereby grant
unto L. L. Nickerson a Citizen
of the United States a License
to Marriage with one Miss.
Lizzie Lewis a citizen of the
Choctaw Nation, and that when
said Marriage is duly performed
as according to law, the said
L. L. Nickerson shall be entitled
to all the rights and Privilege
of the Choctaw Citizenship.

Given under my hand and
seal this the 21st day of
November A. D. 1896.

J. S. Noah
County Clerk.
Kiamichi County
Choctaw Nation

This is to certify that on this
day I have joined in the
bonds of matrimony
Lawrence Mickman &
Lizzie Lewis according to the
law of the Choctaw Nation
& declare them man & wife
The 29th Novbr 1896

Willis F. Folsom

Received on record book No. 3.
Page 146. this the 4th day
of December A. D. 1896.

T. S. Noah
County Clerk.
Hugo County
Choctaw Nation.

7-2688.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lawrence Q. Hickman as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Lawrence Q. Hickman on November 29, 1896, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Lizzie A. Hickman (nee Lewis), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7834 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lawrence Q. Hickman should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw 2688

MYC.

Muskogee, Indian Territory. July 20, 1903.

Lawrence C. Hickman,

Spiro, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Co mission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Commissioner in Charge.

Register.

Enc. MYC 1/20

COPY. Choctaw 2688

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Lawrence Q. Hickman for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Commissioner in Charge.

Register.

Rne MYC 2/20

CHOCTAW. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Lawrence Quinton Dickman

as a citizen of

Choctaw Nation.

Approved 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JUN 28 1902

ACTING CHAIRMAN.

CHOCTAW.

2688

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Lawrence Quinton Hickman, born on the 30th day of Sept., 1901
(Here insert name of child.)

Name of Father: Lawrence Quinton Hickman a citizen of the Choctaw Nation.

Name of Mother: Lizzie Andrew Hickman a citizen of the Choctaw Nation.

Post-office Spiro, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Lizzie Andrew Hickman, on oath state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Lawrence Quinton Hickman, who is a citizen, ~~by~~ Marriage, of the ~~United States~~ Choctaw Nation Nation; that a male (male or female) child was born to me on 30th day of September 1901; that said child has been named Lawrence Quinton Hickman, and is now living.

Lizzie Andrew Hickman

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 24th *day of* June 1902.

J. Wesley Smith
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District,

I, W. C. Frederick, a physician, on oath state that I attended on Mrs. Lizzie Andrew Hickman, wife of Lawrence Quinton Hickman on the 30th day of September, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Lawrence Quinton Hickman

W. C. Frederick, M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 24th *day of* June 1902.

J. Wesley Smith
NOTARY PUBLIC

My Com. Ex. Oct 29. 1905

And I also state that the erasures in affidavit of Mrs Hickman above were made by me before same was subscribed and sworn to by her. J. Wesley Smith, N.P.

IN RE

Application for Enrollment of

INFANT CHILD.

Hugh R. Ketchum

As a citizen of the

Choctaw Nation.

Approved June 22 1899.

Commissioner.

55

7- 2685

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Hugh R. Hickman, born on the 18 day of November, 1897

Name of father: Lawrence Q. Hickman, a citizen of the Choctaw Nation.

Name of mother: Lizzie A. Lewis-Hickman, a citizen of the Choctaw Nation.

Post Office: Cartersville, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie A. Lewis-Hickman, on oath, state that I am 22 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Lawrence Q. Hickman who is a citizen, by Marriage, of the Choctaw Nation; that a boy child was born to me on the 18 day of November, 1897; that said child has been named Hugh R. Hickman, and is now living.

Lizzie A. Lewis-Hickman

Subscribed and sworn to before me this 16 day of June, 1899.

R. V. D. Lowrie
Notary Public.
com-ex-2-15-1902.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, H. A. Vandergriff, a n attendant, on oath, state that I attended on Mrs. Lizzie A. Lewis Hickman, wife of Lawrence Q. Hickman on the 18 day of Nov., 1897; that there was born to her on said date a boy child; that said child is now living and is said to have been named Hugh R. Hickman.

Attest
J. H. Ward

Mrs. H. A. Vandergriff
mark

Subscribed and sworn to before me this 14 day of June, 1899.

Frank E. Parker
Notary Public.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD.

Ella Josephine Hickman

As a citizen of the

Choctaw Nation.

Approved: MAY 24 1900

Commissioner.

FILED
MAR 30 1900
COMMISSION TO FIVE TRIBES.

Choctaw
2688

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Della Josephine Hickman, born on the 9 day of February, 1900.

Name of father: Lawrence D. Hickman, a citizen of the Choctaw Nation.

Name of mother: Lizzie Andrew Hickman, a citizen of the Choctaw Nation.

Post Office: Spiro, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Andrew Hickman, on oath, state that I am 23 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Lawrence D. Hickman who is a citizen, by Marriage, of the Choctaw Nation; that a Female child was born to me on the 9 day of February, 1900; that said child has been named Della Josephine Hickman, and is now living.

Lizzie A. Hickman

Subscribed and sworn to before me this 26 day of March, 1900.

Frank E. Park

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. C. Frederick, a Physician, on oath, state that I attended on Mrs. Lizzie A. Hickman, wife of Lawrence D. Hickman on the 9 day of February, 1900; that there was born to her on said date a Female child; that said child is now living and is said to have been named Della Josephine Hickman.

W. C. Frederick

Subscribed and sworn to before me this 23 day of March, 1900

Frank E. Park

Notary Public.

Choctaw 2688

Muskogee, Indian Territory, June 28, 1902.

Lawrence Quinton Hickman,

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lawrence Quinton Hickman, the infant son of Lawrence Quinton and Lizzie Andrew Hickman, born September 30, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-9688.

Muskogee, Indian Territory, September 19, 1903.

L. Q. Hickman,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th inst., requesting to be advised relative to the enrollment of yourself and other members of your family as citizens of the Choctaw Nation.

You are informed it appears from our records that Lawrence Q. Hickman, now about 33 years of age, has been duly enrolled as an intermarried citizen of the Choctaw Nation by this Commission, and his enrollment as such approved by the Secretary of the Interior September 12, 1903.

It further appears from our records that his wife, Lizzie A., and his minor children, Hugh R., Della Josephine and Lawrence Quinton Hickman, have been duly enrolled as citizens by blood of the Choctaw Nation by this Commission, and their enrollment as such approved by the Secretary of the Interior June 17, 1903.

Respectfully,

Chairman.

LIMITED POWER OF ATTORNEY

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

I, Bowie Wesley, also known as Boey Wesley and also [illegible] Wesley, of Oklahoma County, State of Oklahoma, [illegible] make, constitute and [illegible]

[illegible] agate any records pertaining to me in the Muskogee Area Indian Office, Per Capita Section, Muskogee, Oklahoma, for the purpose of determining my rights derived through my mother, Lizzie Hickman [illegible] the Chocktaw Tribe. This authority shall continue in effect until such time as I shall revoke the same in writing and deliver such written [illegible] the Muskogee Area Indian Officer, Per Capita Section, Muskogee, Oklahoma.

Dated this 17th day of June, 1957.

Bowie Wesley.

State of Oklahoma)
) ss
Oklahoma County)

Before me the undersigned, a Notary Public in and for said County and State, on this 17th day of June, 1957 personally appeared Bowie Wesley, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

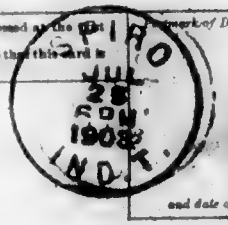
My Commission Expires: 10-8-57

Edna L. McLaughlin

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office



and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender *Commission to the Five Civilized Tribes*

Street and Number, or Post Office Box.

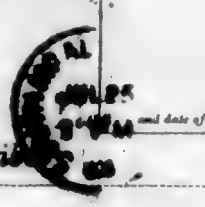
Post Office at MUSKOGEE, IND. TER.

County ..... State .....

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office



and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO: *Commissio... Civilized Tri...*

Name of Sender .....

Street and Number, or Post Office Box. MUSKOGEE, IND. TER.

Post Office at .....

County ..... State .....

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Spiro I. T. (Delivering office.)

Registered {Letter / Parcel} *No.* 10603 *from* MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Lawrence L. Hartman (Name of addressee.)

Date ..... (Date of delivery.) ....., 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Lawrence L. Hartman (Signature or name of addressee.)

..... (Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Sv. McAlester I. T. (Delivering office.)

Registered {Letter / Parcel} *No.* 11204 *from* MUSKOGEE, IND. TER. (Office of origin.)

Addressed to Mansfield McMurray & Cornish (Name of addressee.)

Date ..... (Date of delivery.) ....., 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

[redacted] (Signature or name of addressee.)

E. Rosenwald (Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to the address, without envelope or postage.

2689 Edward Lanier Choc

2689

7-2807-2689

Muskogee, Indian Territory, May 26, 1903.

Judge E. D. Lanier,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 18, in which you ask relative to certain improvements, which were purchased by you and are now being claimed by John Merryman. You inclose a plat of the land in controversy and ask if you will be permitted to file on the same.

In reply to your letter you are informed that it appears from our records that Edward Lanier, his wife Rebecca Lanier, and their children, Edward Jr., Susan and Jane Lanier have been enrolled by this Commission as citizens by blood of the Choctaw Nation, and on January 17, 1903, their enrollment was approved by the Secretary of the Interior.

If you desire to select the land referred to by you in allotment you should appear before the Commission at the land office for the nation in which the land is situated. You will then be permitted to make formal application therefor.

You are further advised that the Commission cannot

render any opinion relative to the rights of individual citizens to particular tracts of the land of the Choctaw and Chickasaw country until application has been made therefor and in the event the same land is claimed by any other citizen until contest proceedings have been instituted.

The plat inclosed by you is herewith returned.

Respectfully,

Commissioner in Charge.

Inc.CM-2-26

7-2689

Muskogee, Indian Territory, November 27, 1903.

Ed Lanier,

Oaklodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 21, asking the status of your enrollment.

In reply to your letter you are informed that it appears from our records that Edward Lanier, his wife, Rebecca Lanier and their children, Edward, Jr., Susan and Jane Lanier, have been enrolled by this Commission as citizens of the Choctaw Nation and their enrollment as such has been approved by the Secretary of the Interior.

Respectfully,

Chairman.

2690 mary Bohanan choc

2690

7-2890.

Muskogee, Indian Territory, February 20, 1903.

Mary Bohanan,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 13th inst., enclosing a certified copy of the divorce proceedings between Mary Bynum and Alfred Bynum; and the same has been duly filed with the records of the Commission in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

United States of America,
INDIAN TERRITORY, } ss.
[illegible] DISTRICT.

I, [illegible], Clerk of the District Court of the United States for the [illegible] District of the Indian Territory, do hereby certify the foregoing to be a true copy of an order made by said Court on the 27th day of April, 1899. , 190 , as appears from the records of said Court now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand, at my office in So. McAlester, in said District, this 27th day of January, , A. D. 1903.

, Clerk.

By , Deputy.

No.

Mary Byrum
vs.
Alfred Byrum
Decree of Divorce

COPY OF ORDER OF COURT.

, Clerk.

By , Deputy.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 19 1903
ACTING CHAIRMAN.

Form No. 303.

COPY OF ORDER OF COURT.

United States of America,

INDIAN TERRITORY
Central DISTRICT } ss:

IN THE UNITED STATES COURT in the Indian Territory, Central District, at a term thereof begun and held at South McAlester, in the Indian Territory, on the 17th day of April, 1903. A. D. 190

Present, the Honorable Charles B. Stuart, Judge of said Court.

The following order was made and entered of record, to wit:

[illegible]

[illegible]

vs

[illegible]

Alfred Brown

[illegible] this the 17th day of April, 1903, [illegible] cause coming on to be heard, [illegible] by [illegible] Wallis Bas, and it appearing [illegible] defendant [illegible] not [illegible] been duly published and it appearing that an attorney ad liter had been duly and regularly appointed and report filed, and all [illegible] matters, [illegible] proof in [illegible] and [illegible] [illegible] [illegible]

United States of America.

Spaulding & Bergwell
Portrait
I.T.

Sanbois Q.T. Aug. 1897

Received of Spaulding & Bagwell by register letter copies of papers in claim of Mary Bohannan for her Infant child Lyman Bohannan B. Choctaw nation as follows: Copy of Statement of Counsel, Affidavits of Mary Bohannan, Dr. Jas H. Smith and D. P. Wilson

[illegible]

Principal chief Choctaw nation

REGISTRY RECEIPT.

Post Office at Tetan S.F.

Registered Letter / ~~Parcel~~ No. 43 Rec'd Aug. 13 1897

of Spaulding & Bagwell

addressed to Van Green & Curtain

Sanbais S.F.

W. H. Leigh P. M.

Before the Commission to the five Civilized Tribes.
Mary Bohannan for her Infant Child, Lyman Bohannan
vs.
The Choctaw Nation

Statement

The proof in this action shows that it is an application on the part of Lyman Bohannan an Infant child of a citizen by marriage viz: a widow of a Choctaw Indian by blood, who was enrolled by this Commission on December 2nd 1896 in case number 859. Mary Bohannan Elect vs The Choctaw Nation.
The Post Office address of the mother Mary Bohannan is Poteau, I.T.

Respectfully Submitted
Spaulding & Bagnell.
Attorneys for Claimant
Poteau, I.T.

To the Commission on the part of the United States to the Five Civilized tribes.

Application of Mary Bohannan for the enrollment of her Infant child Lyman Bohannan.

Indian Territory }
Central District } ss.

Mary Bohannan being duly sworn on her oath say: That her Post Office address is Poteau, in the Choctaw Nation Indian Territory, That she is an actual resident of the Choctaw Nation Ind. Ter. & has been for more than seven years last past.

That she is a regularly enrolled citizen of the Choctaw Nation Ind. Ter. having been admitted to citizenship as an intermarried citizen and the widow of Lyman Bohannan "deceased" a Choctaw Indian by blood, by the Commission of the United States to the on the part of the Five Civilized tribes. On Dec. 2nd 1896 as is shown by the order of Such Commission

in case No. 859. a true copy of which order or notice is as follows.

" "Department of the Interior
Commission to the five Civilized Tribes.
Mary Bohannan Etal
v.s. Petran. no. 859.
Choctaw Nation

Fort Smith, Ark. Dec. 2nd 1896.

Sir In compliance with the provisions of Act of Congress, approved June 10. 1896, the Commission to the Five Civilized Tribes has considered this application, with proof, and the same has been granted by the Commission.

Respectfully. H.M. Jacoway, Jr. Secretary.

That her late husband Lyman Bohannan died on July 30th 1896.

That on April 25th 1897 there was born to her, as the lawful issue of said marriage, a male child, which is now living and whos name is Lyman Bohannan.

Wherefore Affiant, your petitioner asks, that her Infant Son Lyman Bohannan be by your Commission enrolled as a member of the

Choctaw tribe of Indians, in the
Choctaw Nation, Ind. Ter.

Mrs Mary Bahaman

Subscribed in my presence
and sworn to before me
on this 12th day of August 1897

C. M. Bagwell.
Notary Public

Indian Territory }
Central District } ss.

James H. Smith being duly sworn on oath says, that he is 33 years of age, That he resides near Poteau, Ind. Ter. and is a regular practicing Physician. That he was well acquainted with Lyman Bohannan "deceased" in his life time and know he was a Choctaw Indian by blood and that he died About July 30th 1896. And that he is also well acquainted with Mary Bohannan the widow of Lyman Bohannan deceased and I attended on her professionally on April 25th 1897 at which time she gave birth to a Male child, which is still living and named Lyman Bohannan.

That said Mary Bohannan is an Intermarried citizen of the Choctaw Nation duly enrolled.

Jas H. Smith M.D.

Subscribed in my presence and Sworn to before me this 13th day of August 1897.

C. M. Bagwell
Notary Public

Indian Territory }
Central District } ss. D. P. Wilson
of lawful age being duly sworn
on oath says that he is well
acquainted with Mary Bohannan
the widow of Lyman Bohannan
a Choctaw Indian who died near
Tobucco, I.T. July 30th 1896. And knows
said Mary Bohannan to be a
resident of the Choctaw nation
Ind. Ter. and to be a regularly
enrolled member of the Choctaw
tribe of Indians by intermarriage
she being a white woman, that
affiant was present at the home
of said Mary Bohannan near
Tobucco, I.T. on April 25th 1897. when
she gave birth to a Mail child
which is still living its name
being Lyman Bohannan.

D. P. Wilson his mark

Witness to mark.
Jno. Bagwell.

Subscribed in my presence
and sworn to before me this 12th
day of August 1897.

J. Bagwell
Notary Public.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

Mary Bohannan
of
Poltrau, I.T. for
her Infant Child
Lyman Bohannan
V.S.
Choctaw Nation

FILED
AUG 10 1887
H. M. Jaroway.

Spaulding & Bagnell
Attys. for Claimant
2/10 Poltrau, I.T.

Indian Territory }
Central District } ss. D. P. Wilson
of lawful age being duly sworn
on oath says that he is well
acquainted with Mary Bohannan
the widow of Lyman Bohannan
a Choctaw Indian who died near
Poteau, I.T. July 30th 1896. And knows
said Mary Bohannan to be a
resident of the Choctaw nation
Ind. Ter. and to be a regularly
enrolled member of the Choctaw
tribe of Indians by intermarriage
she being a white woman, that
affiant was present at the home
of said Mary Bohannan near
Poteau, I.T. on April 25th 1897. when
she gave birth to a Mail child
which is still living its name
being Lyman Bohannan.

D. P. Wilson his X mark

Witness to mark.
J.M. Bagwell.

Subscribed in my presence
and sworn to before me this 12th
day of August 1897.

J. M. Bagwell
Notary Public.

IN RE

Application for Enrollment of

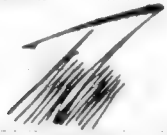
INFANT CHILD.

Lyman Bohanan

As a citizen of the

Cherokee Nation.

Approved 1



Commissioner.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Lyman Brannan, born on the 25th day of April, 1894.

Name of father: Lyman Brannan (Dead) citizen of the Choctaw Nation.

Name of mother: Mary Brannan, citizen of the Choctaw Nation.

Post Office: Atoka, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Atoka District.

I, Mary Brannan, on oath, state that I am 30 years of age and a citizen, by Intermarriage, of the Choctaw Nation; that I am the lawful wife of Lyman Brannan who is a citizen, by Blood, of the Choctaw Nation; that a male child was born to me on the 25 day of April, 1894; that said child has been named Lyman Brannan, and is now living.

\+ Mary Brannan

Subscribed and sworn to before me this 14 day of August, 1894.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Atoka District.

I, L. H. Smith, a Physician, on oath, state that I attended on Mrs. Mary Brannan, wife of Lyman Brannan on the 25 day of April, 1894; that there was born to her on said date a male child; that said child is now living and is said to have been named Lyman Brannan.

L. H. Smith

Subscribed and sworn to before me this 14 day of August, 1894.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

MARY BOHANAN, 7--2690.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Lymon Bohanan as Choctaw by blood; Mary Bohanan being sworn and examined by Com'r McKennon testifies:

Q What's the date of the death of your husband? A 30th day of July

Q What year? A 1896; Will be three years in July 30th.

Q This child was born what day of April? A 25th day of April after he was killed the 30th day of July.

Q 25th day of April, 1897? A Yes sir.

Q He was killed was he? A Yes sir.

Mary Bohanan (the second) being sworn and examined testifies:

Mary Bohanan, twenty years old.

Q You are the daughter of Lymon Bohanan? A Yes sir.

Q You remember the date of his death? A 30th of July I believe it was; in1896 I think.

Department of the Interior,

Commission to the Five Civilized Tribes

[illegible] of

M. D. Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 19th, 1902.

Choctaw 2690
Intermarried

---------oOo---------

In the matter of the application of Mary Bohanan for enrollment as an intermarried citizen of the Choctaw Nation.

Mary Bohanan being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Mary Bohanan.
Q What is your age? A Thirty-two years.
Q What is your post office address? A Poteau.
Q How long have you been a resident of the Choctaw Nation?
A Thirteen years.
Q Have you lived there continuously for the past thirteen years?
A Yes sir, I have lived in the Territory that long.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw ~~wife~~ husband through whom you claim these rights? A Lyman Bohanan.
Q Is he dead? A Yes sir.
Q Was he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q His rights had never been disputed? A No sir.
Q When were you married to Lyman Bohanan? A It has been nine years ago last May.
Q Where was this marriage ceremony performed? A Close to Poteau.
Q In the Choctaw Nation? A Yes sir, in the Choctaw Nation.
Q Were both you and your husband at that time bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal laws?
A Yes sir.
Q Did you obtain a marriage license? A No sir.
Q Who performed the marriage ceremony? A Dr. Hardin.
Q Were you ever married before your marriage to Lyman Bohanan?
A Yes sir, I was married once before.
Q What was the name of your former husband? A The first one?
Q Were you married more than once? A Once before I married Lyman?
Q What was the name of your former husband? A His name was Barham.
Q At the time of your marriage to Lyman Bohanan was Barham living or dead? A He was living at that time.
Q Were you divorced from him? A Yes sir.
Q Where was that divorce procured? A McAlester.
Q Was he a white man? A Yes sir.
Q Have you any evidence of that divorce? A None here; the lawyer is dead that put the divorce through.

Q He procured the divorce in the United States Court at South McAlester? A That's where he said he put it through, at McAlester
Q How long did you live with Lyman Bohanan? A He's been dead six years.
Q You lived with him up to the time of his death? A Yes sir.
Q There was never any separation, abandonment or divorce between you? A No sir.
Q Are you at present living in the Choctaw Nation as a bona fide resident? A Yes sir.
Q Were you an applicant for enrollment as an intermarried citizen of the Choctaw Nation before the Commission to the Five Civilized Tribes in 1896? A Well I reckon I must have been.
Q Were you admitted by the Commission at that time? A Yes sir, I reckon so.
Q Was your case ever appealed to the United States Court that you are aware of? A No sir.
QC Since the death of Lyman Bohanan have you remarried to anybody?
A No sir.
Q You are still single? A Yes sir.

- - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles H. Sawyer

Notary Public.

Ind. Ter.
Choctaw Nation

I J. S. Hardin a regular Ordained Minister of the Gospel of the Baptist denomination do Solemnly affirm that I did on or about the 7th day of May 1893 legaly solemnize the rights of Matrimony between Lyman Bohannan, a Choctaw Citizen by blood; and Mary Burrans, and that they lived as husband and wife from the time of such Marriage to the death of the said Lyman Bohannan--

J S Hardin
minister of the Gospel

Subscribed and sworn to before me on this 2nd day of Oct. 1894
E M Bagwell
Notary Public

I do hereby certify that the with in Marriage certificate is a true and correct copy of the original presented to me for record.

Recorded in the Shelby ville County record Book No. 1. On page No. 673. Nov. 2nd 1896

E. N. Culbreath.

Co. Clerk.

7 - 2690

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Bohanan as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Mary Bohanan, on or about May 7, 1893, was lawfully married to Lyman Bohanan, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears upon the 1893 Choctaw Leased District Payment-roll, Skullyville County, page 5, number 48; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together continuously in said nation as husband and wife from the date of said marriage until the death of the said Lyman Bohanan, on July 30, 1896, since which time, up to and including September 25, 1902, the applicant herein has continued to reside in the Choctaw Nation, and has not remarried.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled "Mary Bohannon, et al., vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 859), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage to the said Lyman Bohanan, and on December 4, 1896, the said Mary Bohanan was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It is, therefore, the opinion of this Commission that Mary Bohanan should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stat.,495) and July 1, 1902 (32 Stat.,641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

DEC 20 1902

COPY. Choctaw 2690.

Muskogee, Indian Territory, July 20, 1903.

Mary Bohanan,

Poteau, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Commissioner in Charge.

Registered.

Enc.ALI.13.

Choctaw 2690.

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application for the enrollment of Mary Bohanan as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

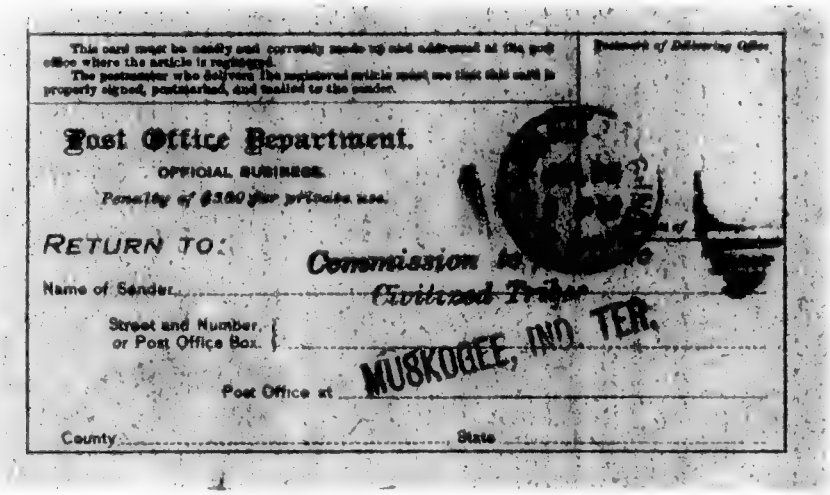
(SIGNED)

T. D. Needles.

Commissioner in Charge.

Registered.

Enc.ALI.14.



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

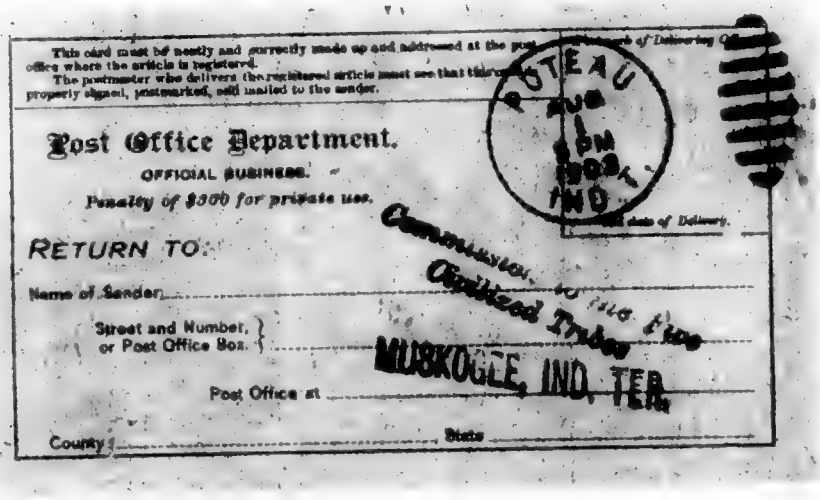
RETURN TO:

Name of Sender Commission to the Five Civilized Tribes

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County State



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

POTEAU AUG 1 5 PM 1903 IND.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

Postmark of Delivery.

RETURN TO:

Name of Sender Commission to the Five Civilized Tribes

Street and Number, or Post Office Box.

Post Office at MUSKOGEE, IND. TER.

County State

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Dr. McAlester (Delivering office.)

Registered (Letter / Parcel) No. 1552 *from* MUSKOGEE IND. TER. (Office of origin.)

Addressed to Mansfield McMurray & Cornish (Name of addressee.)

Date ..... (Date of delivery.) , 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

MANSFIELD McMURRAY & CORNISH. (Signature or name of addressee.)

Rosemon Bell (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Poteau I. T. (Delivering office.)

Registered (Letter / Parcel) No. 10482 *from* MUSKOGEE IND TER (Office of origin.)

Addressed to Mary Bohannan (Name of addressee.)

Date ..... (Date of delivery.) , 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mrs Mary Bohannan (Signature or name of addressee.)

..... (Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2691 Nannie H. Parke Choc

2691

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

NANNIE H. PARKE.

7-2691.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZEDTRIBES.
WISTER, I.T. Dec.16, 1902.

7-2691

In the matter of the application of Nannie H. Park for enrollment as an inter married citizen of the Choctaw Nation.

Nannie H. Park being duly sworn testified as follows:

Examination by the Commissinn:

Q What is your name? A Nannie H. Park.
Q How old are you? A Forty four.
Q What is your post office address? A Spiro.
Q Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Since '75.
Q Have you lived here continuously since 1875? AYes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Joseph Lanier.
Q Was he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Were his rights as such ever questioned? A No sir.
Q When were you married to Joseph Lanier? A 1878.
Q Where was this marriage ceremony performed? A Skullyville County, Choctaw Nation.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A E.R.Shepard.;he is dead.
Q Was he a minister of the godpel? A Yes sir; he was Superintendant of the New Hope Academy.
Q Were you married under a license? A No sir, didn't have any.
Q Were you ever married prior to your marriage to Joseph Lanier? A no sir.
Q Was he ever married before he married you? A No sir.
Q After that marriage how long did you live together as husband and wife? AUntil September 2., 1881; he was killed.
Q Was he killed at the end of that time? A Yes, he was shot.
Q There was no separation of any kind whatsoever? A No sir.
Q Since his death have you re-married? A Yes sir.
Q What is the name of your second husband? A Frank A. Park.
Q A white man? A Yes sir.
Q When were you married to him? AIn 1885.
Q Where was this marriage ceremony performed? A Same place.
Q Are you s till living with Mr. Park? A Yes sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you then applu as an inter married citizen? A Yes sir.
Q What action was taken upon your case at that time by the Commission? A Alright I suppose; I was registered.

Q Was your case appealed to the United States Court? A yes, but they failed to make an appeal within 60 days.
Q What was done with that appeal? A It was dismissed.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedinshad in the above case on December 16, 1902, and that this is a full, true and correct transcript of his stenographic notes in same

Henry G. Hains

Subscribed and sworn to before me this 3 day of January, 1903.

Charles H. Sawyer

Notary Public.

Copy.

This Certifies That Joseph Lanier, of Scullyville County State of Choctaw Nation and Nannie Berry of Scullyville County State of Choctaw Nation were united in holy matrimony By me, according to the Ordinance of GOD and the LAWS of the STATE of The Choctaw Nation at James Thompson's near Scullyville on the Twelth day of June in the year of OUR LORD One Thousand Eight Hundred and Seventy-eight.

E. K. Shepard
Minister of the Gospel.

Witness
Mary C. Thompson.

I, Robert E. Grunert, being first duly sworn upon oath state that I made the above and fore going copy of the marriage certificate between Joseph Lanier and Nannie Berry and that the same is a true, full and correct copy of the original now on file with the Commission to the Five Civilized Tribes.

Robert E. Grunert

Sworn to and subscribed b fore me this 7th day of October, 1904.

Notary Public.

Jerico Spring Mo.
July [illegible] 1899

To the Citizen Commission

This is to certify Joseph Lenier and Nannie Berry were married a my residence June the twelveth eighteen hundred and seventy eight and I further state the others who were present are dead — My husband James Thompson my Mother and Lukyel Lenier's Mother. and the Minister who performed the ceremony — Reve. E. R. Shepard

Respect
Mary T. Thompson Lacky

7-2691.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nannie H. Parke for enrollment as an intermarried citizen of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record in this case that on June 12, 1878, the applicant herein, Nannie H. Parke (formerly Lanier), was lawfully married to Joseph Lanier, a recognized citizen by blood of the Choctaw Nation; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation, and that they lived together continuously as husband and wife until the death of the said Joseph Lanier on September 23, 1881; that in the year 1888, the applicant herein was married to Frank A. Parke, a white man having no rights of Choctaw citizenship by blood.

It further appears from the records of the Commission that on September 9, 1896, in the case entitled "Nannie H. Parke et al. vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 893), the applicant herein made original application to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage to the said Joseph Lanier, and on December 2, 1896, the applicant was, by this Commission, admitted to citizenship as a citizen by intermarriage of the Choctaw Nation, from which decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, and on June 1[illegible], 1897, said appeal was dismissed by said United States Court, for the reason that said appeal had not been perfected within the time prescribed by law.

It further appears that the applicant herein was a resident in good faith of the Choctaw Nation on June 2[illegible], 1898, and her status as an intermarried citizen of said Nation

remained unchanged from the date of her admission, in 1896, up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Minnie H. Parke should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

NOV 29 1904

Choctaw 2691.

COPY.

Muskogee, Indian Territory, November 29, 1904.

Nannie H. Parke,

McCurtain, Indian Territory.

Dear Madam:-

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered November 29, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Incl. 7-2691.

Choctaw 2691.

COPY.

Muskogee, Indian Territory, November 29, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered November 29, 1904, granting the application for the enrollment of Nannie H. Parker as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles

Registered. Commissioner in Charge.

Incl. 7-2691.

See Choctaw 664 for registry receipt for this letter.

Photograph Marriage Certificate.

What, therefore, God hath joined tog ether, let not man put asunder.

It is not good that the man should be alone
Gen 2 18.

I will make him an help meet for him
Gen 2 18.

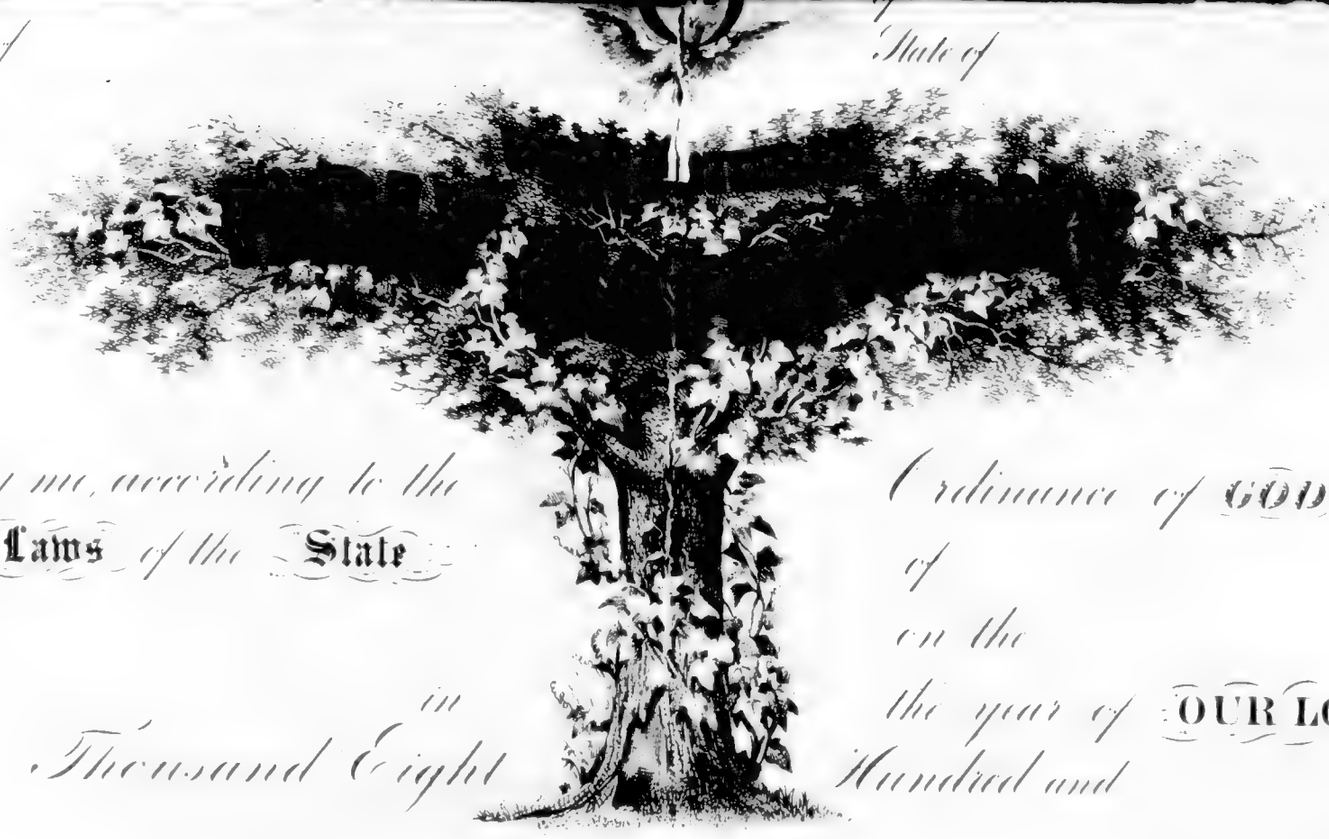
This Certifies

That

And

State of

State of



By me, according to the

Ordinance of GOD and

the **Laws** of the **State**

of

at

on the day

of in

the year of OUR LORD,

One Thousand Eight

Hundred and

Witnesses

Matrimonie is honorable in all

Crider & Bro. Publishers, York, Pa.

Choctaw 2691.

Muskogee, Indian Territory, March 12, 1903.

Henry Lanier,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 26, asking how to secure allotment from lands which are held by other citizens in excess of the amount to which they are entitled.

In reply to your letter your attention is invited to section twenty five of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, a copy of which is herewith inclosed, and you are informed that the said section twenty five prescribes the method in which lands may be allotted from the lands which are held by other citizens in excess of the amount to which they are entitled in allotment.

Respectfully,

Chairman.

Choctaw-Chickasaw
agreement.

7-2691

Muskogee, Indian Territory July 28, 1903.

Henry Lanier,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 24, asking that your enrollment be approved as soon as possible as you are anxious to select your allotment.

In reply to your letter you are informed that it appears from our records that you have been listed for enrollment as a citizen of the Choctaw Nation but your name has not yet been placed upon the schedules of citizens of said nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-2691

Muskogee, Indian Territory, December 2, 1903.

H. B. Lanier,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 23, in which you ask that action be taken in the matter of your enrollment as a citizen by blood of the Choctaw Nation as expeditiously as possible.

In reply to your letter you are informed that you have been listed for enrollment as a citizen by blood of the Choctaw Nation, but your name has not yet been placed upon the schedules of citizens by blood of the Choctaw Nation prepared for forwarding to the Secretary of the Interior.

The Commission is taking up for consideration all matters of enrollment in the Choctaw and Chickasaw Nations as rapidly as possible.

Respectfully,

Chairman.

Choctaw 2691

Muskogee, Indian Territory, April 9, 1904.

Henry B. Lanier,

McCurtain, Indian Territory,

Dear Sir:

Your letter of March 24, 1904, addressed to the Secretary of the Interior, has been by him referred to the Commission for consideration and appropriate action. Therein you ask when your name will be approved so that you may file on your allotment.

In reply to your letter you are advised that your name is now being placed on a schedule of citizens by blood of the Choctaw Nation, which is prepared for forwarding to the Secretary of the Interior. Pending your enrollment by the Commission and the approval thereof by the Secretary of the Interior, however, you would not be permitted to make selection of allotment.

Respectfully,

Commissioner in Charge.

7-2691

Muskogee, Indian Territory, April 9, 1904.

Frank E. Parke,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th inst., asking the status of the enrollment of your wife, Nannie H. Parke and her son, Henry B. Lanier.

In reply to your letter you are informed that the Commission has not yet passed upon the application for enrollment of Nannie H. Parke, as an intermarried citizen of the Choctaw Nation.

As soon as a decision is reached in her case, she will be notified of the action taken therein.

The name of Henry B. Lanier has been placed upon a schedule of citizens by blood of the Choctaw Nation, which is being prepared for forwarding to the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-2691

Muskogee, Indian Territory, September 1, 1904.

Nannie H. Parke,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 25th ultimo, in which you desire to be advised if your application for citizenship in the Choctaw Nation has yet been passed upon by the Secretary of the Interior.

In reply to your letter you are informed that the Commission has not up to the present time rendered any decision relative to the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Nannie H. Parke. As soon as a decision is rendered you will be advised of the action taken by the Commission.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING
7-2691

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 12, 1905.

Nannie H. Park,

McCurtain, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of December 7, 1905, in which you state that you have two children by your present husband F. E. Park who are white children and you ask when their application for enrollment as citizens of the Choctaw Nation will be passed upon.

In reply to your letter you are advised that pending Departmental action in the Choctaw enrollment case of Mary E. Martin no action can be taken in the matter of applications for the enrollment of white children of intermarried citizens of the Choctaw and Chickasaw Nations.

Respectfully,

W. O. Beall

Acting Commissioner.

7-2691

Muskogee, Indian Territory, December 12, 1905.

Nannie H. Park,

McCurtain, Indian Territory.

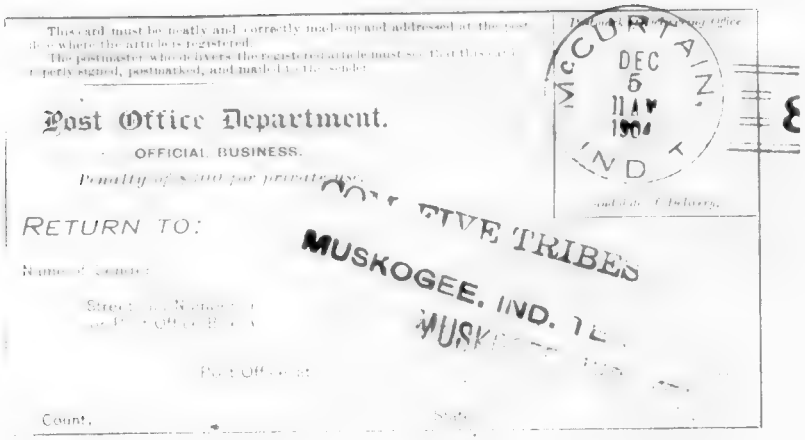
Dear Madam:

Receipt is hereby acknowledged of your letter of December 7, 1905, in which you state that you have two children by your present husband F. E. Park who are white children and you ask when their application for enrollment as citizens of the Choctaw Nation will be passed upon.

In reply to your letter you are advised that pending Departmental action in the Choctaw enrollment case of Mary E. Martin no action can be taken in the matter of applications for the enrollment of white children of intermarried citizens of the Choctaw and Chickasaw Nations.

Respectfully,

Acting Commissioner.



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

McCURTAIN, IND.
DEC 5 11 AM 1904

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender:

Street and Number or Post Office Box

Post Office at

County

State

COM FIVE TRIBES
MUSKOGEE, IND. TE
MUSK

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at McCurtain, I. T.
(Delivering office.)

Muskogee, Ind. Ter
(Office of origin.)

Registered Letter / Parcel No. 15664, from

Addressed to Nannie H. Parke
(Name of addressee.)

Date Dec. 5, 90 - 1890
(Date of delivery.)

Nannie H. Parke
(Signature or name of addressee.)

Frank E. Parke
(Signature of addressee's agent.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order.
When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2692 Fannie E. moore Choc

Dora moore Transferred from Choctaw D#760
NOV 26, 19

2692

In the matter of the application for the enrollment of Dora Moore as a citizen by intermarriage of the Choctaw Nation.

7-D-760.

Department of the Interior
Commission to the Five Civilized Tribes.
Muskogee, I.T. July 16, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Dora Moore.

Applicant not represented by attorney.

Dora Moore being first duly sworn testifies as follows:

-:Examination by the Commission:-

Q What is your name? A Dora Moore.
Q How old are you? A I will be twenty-onenext month.
Q What is your post office address? A Purcell.
Q That is in the Chickasaw Nation? A Yes, sir.
Q How long have you resided in the Chickasaw Nation? A I have lived there twelve years.
Q Maintained a continuous residence in the Chickasaw Nation, Indian Territory, for the past twelve years? A That is with my father and mother.
Q What is your father's name? A James Mc Devitt, D-e-v-i-t-t.
Q Your father is living? A Yes, sir.
Q What is your mother's name? A Mattie McDevitt.
Q Is your mother living? A Yes, sir.
Q Your mother and father both white persons? A Yes, sir.
Q Citizens of the United States? A Yes, sir.
Q Have either your father or mother ever made any claim to citizenship by blood in any tribe of Indians? A No, sir.
Q You are a white woman are you? A Yes, sir.
Q Citizen of the United States? A Yes, sir.
Q Have you ever made any claim to citizenship by blood in any tribe of Indians? A No, sir.
Q Have you ever drawn any money as a member of any tribe of Indians? A No, sir.
Q You are an applicant before this Commission at this time for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, sir.
Q What is the name of your Choctaw husband? A Louis O. Moore.
Q How old is he? A Twenty-five.
Q He a citizen by blood of the Choctaw Nation? A Yes, sir.

The name of the applicants husband appears upon the records of the Commission on Choctaw roll card, field number 2692 having been so listed on June 14, 1899, upon his identification from the 1896 Census Roll of the Citizens of the Choctaw Nation as a resident of Skullyville County.

Q When was you married to Louis O. Moore? A The 28th day of March, 1901.
Q Where were you married? A At Purcell.

Q Was your husband living in the Chickasaw Nation at that time? A Yes, sir.
Q How long had he been living there? A Over a year.
Q Where had he lived prior to his residence in the Chickasaw Nation? A Just there in Purcell.
Q Where before he lived there? A Near Skullyville.
Q In the Choctaw Nation? A Yes, sir.
Q When did he move from the Choctaw Nation to the Chickasaw Nation? A 1900, October; he came there in October 1900.
Q Did you obtain a Chickasaw license to marry Louis O. Moore? A Yes, sir.

The applicant here offers in evidence, there is marked exhibit "A", filed and made a part of the record in this application the marriage license issued by the Clerk of the United States Court, Southern District, Indian Territory, to Louise O. Moore to marry Dora McDivett, the same being dated March 28, 1901, and attached thereto being the certificate of William Ospital as to the marriage of Louise O. Moore and Dora McDivett on March 28, 1901. The said marriage license and certificate being recorded March 30, 1901, in Record Book "E", page 375 of the records of the United States Court for the Southern District, for the Indian Territory and also re-recorded on August 31, 1901, on page 84 of the Record Book of Skullyville County, Choctaw Nation, by Louis LeFlore, County Clerk, Skullyville County, Choctaw Nation, Indian Territory.

Q Was the only marriage ceremony ever performed between you and Louis O. Moore, under this United States license? A That is all.
Q You never obtained a license from the Chickasaw tribal authority to marry under the laws of the Chickasaw Nation? A No, sir.
Q The only marriage ever performed between Louis O. Moore and you was under this United States license? A Yes, sir.
Q Were you ever married before you married him? A No, sir.
Q Was he ever married before that? A No, sir.
Q No legal obstruction to your marriage on March 28, 1901? A No, sir.
Q Have you lived together as husband and wife since that time? A Yes, sir.
Q You are now living in the Chickasaw Nation? A Yes, sir.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on July 16, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of July 1902.

G Rosenwinkel

Subscribed and sworn to before me this 17 day of July 1902.

Guy L V Emerson
Notary Public.

Filed in clerks office
this 31 day of Aug 1901
Page [illegible] of Record Book
Louis Leflore
Clerk Shelby Ville Co.
[illegible]

Exhibit "A"

Certificate of Record of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court, in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for and Certificate of Marriage of

Mr. [illegible] and

M[illegible]

were filed in my office in said Territory and District the 30th day of Mar. A. D. 1901

and duly recorded in Book E. of

Marriage Record, Page 375—

WITNESS my hand and Seal of said Court, at

Ardmore, this 1st day

FILED

of April A. D. 1901

C. M. Campbell
CLERK.

C. M. CAMPBELL, Clerk

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

TEXAS PRINTING COMPANY

FILED
JUL 16 1902

Marriage License

United States of America,
INDIAN TERRITORY
SOUTHERN DISTRICT. } SS:

To Any Person Authorized by Law to Solemnize Marriage, Greeting:

You Are Hereby Commanded To solemnize the Rite and publish the Banns of Matrimony between Mr. [illegible] of [illegible] in the Indian Territory, aged [illegible] years and Miss [illegible] of [illegible] in the Indian Territory, aged [illegible] years, according to law; and do you officially sign and return this License to the parties therein named.

Witness My hand and official Seal, this [illegible] day of [illegible] A. D. 190[illegible]

[illegible]
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
SOUTHERN DISTRICT. } SS:

I, Rev William Ospital a Catholic priest do hereby certify, that on the 28th day of March, A. D. 1901, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 28th day of March, A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A, Page 171

Rev William Ospital
a Catholic priest

(NOTE.—The person officiating should fill in the spaces for book and page and sign here.) ☞

NOTE. (a) This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date hereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE. (b) No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office.

Texas Printing Company, Fort Worth.

Department of the Interior
Commission to the Five Civilized Tribes
Pauls Valley, I.T. October 23,1902.

Choctaw D-760

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Dora Moore.

Dora Moore being first dulysworn testified as follows:

Examination by the Commission

Q What is your name? A Dora Moore.
Q What is your age? A Twenty-one.
Q What is your post office address? A Purcell.
Q How long have you lived in the Chickasaw Nation? A I have been here 12 years.
Q Have you lived here continuously for the past twelve years? A Yes, sir.
Q You are a white woman? A Yes, sir.
Q And an applicant for enrollment as a citizen by intermarraieg of the Choctaw Nation? A Yes, sir.
Q What is the name of your Choctaw husband through whom you claim your rights? A Louis O. Moore.
Q When did he die? A The 24th of July.
Q This year? A Yes, sir.
Q When were you married to him? A March 28, 1901.
Q Where? A Purcell.
Q Was he a resident of Purcell when you married him? A Yes, sir.
Q How long had he lived there? A A little over a year.
Q That was his permanent home when you married him? A Well he had been staying there for some time.
Q Did he own any property there? A No, sir.
Q Where did his parents live at that time? A Oak Lodge Choctaw Nation.
Q He was a citizen by blood of the Choctaw Nation? A Yes, sir.
Q Did you marry him under a United States license ? A Yes, sir.
Q Did you ever marry him under a Chickasaw license? A No,sir.
Q Did you and Louis O. Moore live together as husband and wife in the Chickasaw Nation from the time of his marriage in 1901 up until his death? A Yes, sir.
Q You are now a bonafide resident of the Chickasaw Nation? A Yes, sir.
Q You have not remarried since his death? A No, sir.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on October 23, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

G. Rosenwinkel

Subscribed and sworn to before me this 29 day of November 1902.

Charles H Dawson

Notary Public.

Choctaw [illegible]-76[illegible].

In the matter of the enrollment of Sora Moore as an intermarried citizen of the Choctaw Nation.

PROTEST of
Choctaw and Chickasaw Attorneys

[illegible]
[illegible]LIZED TRI[illegible]
FILED
FEB 6 [illegible]

CHAIRMAN

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Dora Moore as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-760.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of Preston Early, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of the citizenship rights by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

Protest overruled by Department

Maxwell McMorray & Cornish
Attorneys for the Choctaw & Chickasaw Nations.

January 23, 1904.

7-D-760.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Dora Moore as a citizen by intermarriage of the Choctaw Nation.

-: D E C I S I O N :-

It appears from the record herein that on March 28, 1901, the applicant, Dora Moore (nee McDivitt), was lawfully married to Louis O. Moore, a recognized and enrolled citizen by blood of the Choctaw Nation, who is identified upon the 1893 Choctaw Leased District Payment Roll, Skullyville County, page 44, number 438, and upon the 1896 Choctaw Census Roll, Skullyville County, number 8465, enrolled on said rolls as a citizen by blood of said nation; that at the time of said marriage both persons above mentioned were residents in good faith of the Chickasaw Nation; that they lived together continuously in said nation as husband and wife from the date of said marriage until the death of the said Louis O. Moore on July 24, 1902, and that the applicant had continued to reside in the Chickasaw Nation and had not remarried up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Ella Jones (I.T.D. 6818-1904) Dora Moore should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
Nov[illegible] 1904

Choctaw D 760

Muskogee, Indian Territory, November 9, 1904.

Dora Moore,

Purcell, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered November 9, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Encl. C-D-760.

Choctaw D 760

Muskogee, Indian Territory, November 9, 1904.

J. F. Sharp,

Attorney at Law,

Purcell, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on November 9, 1904, rendered its decision granting the application for the enrollment of Dora Moore as a citizen by intermarriage of the Choctaw Nation.

The attorngys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Chairman.

Choctaw D 760

COPY.

Muskogee, Indian Territory, November 9, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered November 9, 1904, granting the application for the enrollment of Dora Moore as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-D-760.

See Choctaw D 1002 for registry receipt for this letter .

7-2692 32

IN RE
THE DEATH OF

Louis O. Moore

a citizen of the

Choctaw *Nation.*

Approved

T. R. Brumbaugh

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

ACTING CHAIRMAN.

CHOCTAW. 2692

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Louis O. Moore
(Here insert name of deceased)
a citizen of the Choctaw Nation, who formerly resided at or near
Purcell, Ind. Ter., and died on the 24 day of July,
(Here insert name of post office)
1902.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dora Moore on oath state that I am 21 years of age and a citizen, by intermarriage, of the Choctaw Nation; that my post office address is Purcell, Ind. Ter.; that I am
(Here insert name of post office)
The wife of Louis O. Moore,
(State relationship, as: the father; an uncle; a cousin, etc.) (Here insert name of deceased)
who was a citizen, by blood, of the Choctaw Nation; and that said Louis O. Moore died on the 24 day of
(Here insert name of deceased)
July, 1902.

Dora Moore

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 23 day of October 1902

C A Hamm
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Joseph Perry, on oath state that I am 44 years of age, and a citizen, by blood, of the Chickasaw Nation; that my post office address is Purcell, Ind. Ter.;
(Here insert name of post office)
that I was personally acquainted with Louis O. Moore
(Here insert name of deceased)
who was a citizen, by blood, of the Choctaw Nation; and that said Louis O. Moore died on the 24 day of
(Here insert name of deceased)
July, 1902.

Joseph Perry

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 23 day of October 1902.

C A Hamm
Notary Public

7-2692

32

IN RE
THE DEATH OF

Louis O. Moore

a citizen of the

Choctaw Nation.

Approved ____ 190__

Commissioner.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Louis O. Moore (Here insert name of deceased) a citizen of the Choctaw Nation, who formerly resided at or near Oak Lodge (Here insert name of postoffice), Ind. Ter., and died on the 22 day of July, 1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY, Central District. }

I, Lyman R. Moore, on oath state that I am 28 years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Oak Lodge (Here insert name of post office.), Ind. Ter.; that I am brother of Louis O. Moore (State relationship as the father, son, brother, a cousin, etc.) (Here insert name of deceased.), who was a citizen, by blood, of the Choctaw Nation; and that said Louis O. Moore (Here insert name of deceased.) died on the 22 day of July, 1902 L R Moore

WITNESSES TO MARK:

(Must be Two Witnesses) { }

Subscribed and sworn to before me this 17 *day of* December 1902

P. C. Bolger
Notary Public

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY, Central District. }

I, Felix Leflore, on oath state that I am 38 years of age, and a citizen, by blood, of the Choctaw Nation; that my post office address is Oak Lodge (Here insert name of post office.), Ind. Ter.; that I was personally acquainted with Louis O. Moore (Here insert name of deceased.) who was a citizen, by blood, of the Choctaw Nation; and that said Louis O. Moore (Here insert name of deceased.) died on the 22 day of July, 1902 Felix Leflore

WITNESSES TO MARK:

(Must be Two Witnesses) { }

Subscribed and sworn to before me this 17 *day of* December 1902

P. C. Bolger
Notary Public

Muskogee, Indian Territory, August 16, 1901.

Mr. L. O. Moore,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant in which you request that you be supplied with the necessary blanks and papers for the purpose of making application for the enrollment of your wife as an inter-married citizen of the Choctaw Nation.

You are informed that the rules of this Commission require that applicants for enrollment as inter-married citizens must in every instance present themselves in person before the Commission for examination under oath.

You will therefore understand that if you desire to have your wife make application for enrollment as an inter-married citizen of the Choctaw Nation that it will be necessary that she appear before the Commission in person. Such application may be made at the office of the Commission at Muskogee, Indian Territory at any time prior to the closing of the final rolls of the Choctaw and Chickasaw Nations but if it is your intention that she shall make application, it is suggested that

it be done at her earliest convenience.

Yours truly,

7-2952.

Commissioner in charge.

Choctaw D 760

Muskogee, Indian Territory, January 22, 1903.

Dora Moore,

Purcell, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of January 5, in which you ask relative to your enrollment in the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that you have been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and that your final right to such enrollment has not yet been determined. As soon as a decision is reached in your case you will be notified of the action of the Commission.

It may be added that lands upon which doubtful claimants to enrollment in the Choctaw and Chickasaw Nations have improvements, not in excess of lawful allotments, will not be allotted to any citizen until the rights of the said doubtful citizens are finally determined.

Respectfully,

Choctaw 2692

Muskogee, Indian Territory, July 2, 1903.

H. M. Morse,

Kintah, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date requesting ticket of admission to the land office for yourself and wife for the purpose of making selection of your allotments.

In reply to your letter you are advised that ticket of admission to the land office will be furnished upon request made therefor to the land office for the nation in which the land you desire to select in allotment is located.

The matter of the classification of the land described by you has been made the subject of another communication.

Respectfully,

Commissioner in Charge.

7-1893
7-2692

Muskogee, Indian Territory, September 29, 1903.

Lyman R. Moore,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, requesting to be advised relative to the enrollment of Fannie E., Eleanor B., Napolian B., Ida N. and Lyman R. Moore.

You are informed it appears from our records that Fannie E. Moore and her children, Lyman R., Herbert M., Napoleon B. and Lena B. Moore have been enrolled as citizens by blood of the Choctaw Nation by this Commission and their enrollment as such approved by the Secretary of the Interior January 17, 1903.

It further appears from our records that Ida N. McCurtain has been duly enrolled as a citizen by blood of the Choctaw Nation by this Commission and her enrollment as such approved by the Secretary of the Interior January 16, 1903.

It also appears from our records that Lena B. Moore is on the 1896 Choctaw census roll as Elenor B. Moore.

Respectfully,

Chairman.

Choctaw D 760

Muskogee, Indian Territory, February 10, 1904.

Dora Moore,

Purcell, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw D 760

Muskogee, Indian Territory, February 25, 1904.

J. F. Sharp,

Attorney at Law,

Purcell, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 17, asking for a copy of the testimony taken in the case of Dora Moore versus the Choctaw Nation, including copy of marriage license and certificate and a copy of the protest filed by the attorneys for the Choctaw and Chickasaw Nations of January 23, 1904.

In compliance with your request there are inclosed you herewith copies of the testimony of Dora Moore of July 16, 1902 and October 23, 1902, in the matter of her application for enrollment as an intermarried citizen of the Choctaw Nation, together with receipt therefor, which please sign and return to this office. A copy of the protest of the attorneys for the nations of January 23, 1904, which was filed with the Commission February 6, 1904, is also inclosed herewith. There is not in our files an extra copy of the marriage license and certificate of Louise O. Moore and Dora McDivett, of March 28, 1901, issued by the United States Court for the Southern D District of the Indian Territory and it is suggested that if you de-

J F S 2

sire a certified copy thereof you should be able to procure the same from the Clerk of that Court.

Respectfully,

Commissioner in charge.

7-D760

Muskogee, Indian Territory, November 10, 1904.

Mrs. Dora Moore,

Purcell, Indian Territory.

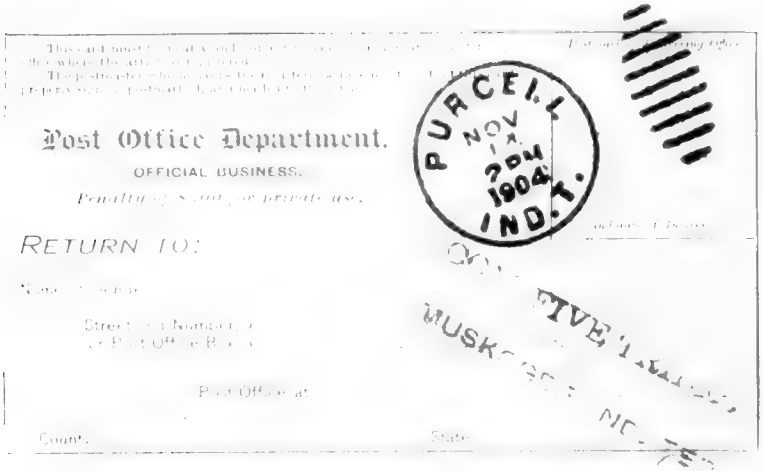
Dear Madam:-

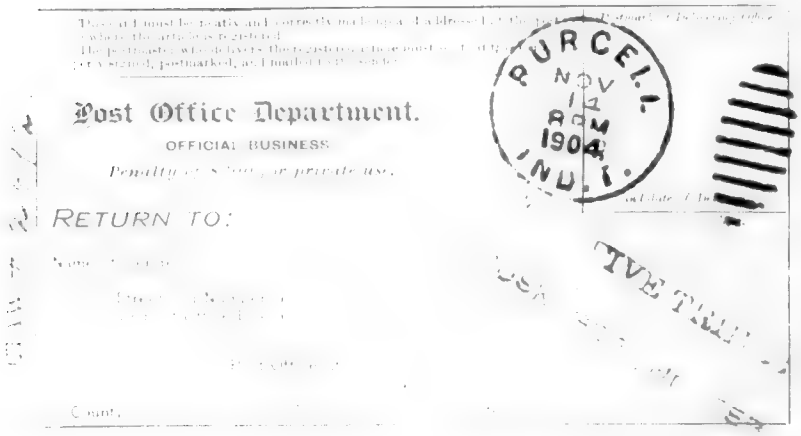
Receipt is hereby acknowledged of your letter of November 7, 1904, in which you express the desire that your name be forwarded for approval as soon as possible.

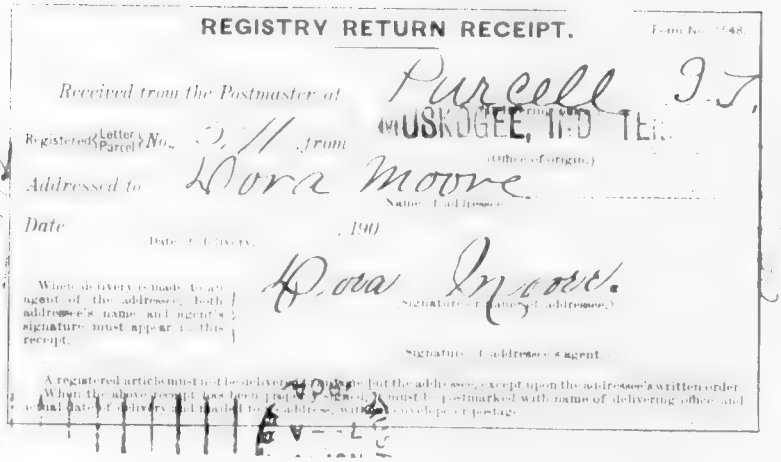
In reply to your letter you are informed that on November 9, 1904, the Commission rendered its decision granting your application for enrollment as an intermarried citizen of the Choctaw Nation and copy thereof was forwarded you at Purcell, Indian Territory.

Respectfully,

Chairman.


Post Office Department.
OFFICIAL BUSINESS.
RETURN TO:
PURCELL
NOV
12
2PM
1904
IND. T.


Post Office Department.
OFFICIAL BUSINESS.
RETURN TO:
PURCELL
NOV
12
2PM
1904
IND. T.



REGISTRY RETURN RECEIPT. Form No. 3548.

Received from the Postmaster at Purcell I.T.

MUSKOGEE, IND. TER.

Registered Letter / Parcel No. 2411 from

(Office of origin.)

Addressed to Dora Moore.

Name and address.

Date , 190

Date of delivery.

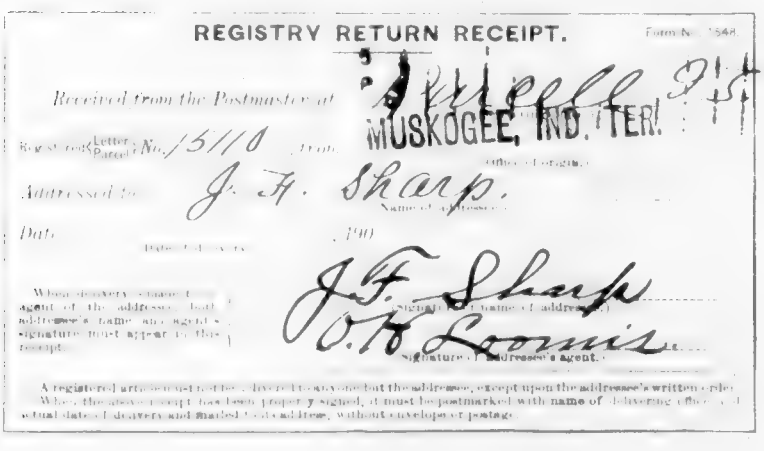
When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear on this receipt.

Dora Moore.

Signature (Name of addressee.)

Signature of addressee's agent.

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery, and mailed to the address, without envelope or postage.



REGISTRY RETURN RECEIPT. Form No. 3548.

Received from the Postmaster at Purcell I.T.

MUSKOGEE, IND. TER.

Registered Letter / Parcel No. 15110 from

(Office of origin.)

Addressed to J. F. Sharp.

Name and address.

Date , 190

Date of delivery.

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear on this receipt.

J. F. Sharp

Signature (Name of addressee.)

O. H. Loomis

Signature of addressee's agent.

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery, and mailed to the address, without envelope or postage.

2693 Margaret Le Flore Choc

No. 3 Granted Nov 13, 1905

Record as to enrollment of Amanda Le Flore forwarded Dept March 14, 1906

Record returned. See opinion of Assistant Attorney General of March 15, 1906 in case of Omer R. Nicholson

2693

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of - - -

Amanda DeFlore,

7-2693.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, June 7, 1905.

In the matter of the alleged application of Amanda Le Flore for enrollment as a citizen by intermarriage of the Choctaw Nation.

Jess W. Watts, Salisaw, Indian Territory, appearing as attorney for the applicant.

Amanda Le Flore being first duly sworn, testified as follows:

Examination by the Commission:

Q What is your name? A Amanda Le Flore.
Q How old are you? A Twenty-two years old.
Q What is your postoffice address? A Blaine, Indian Territory
Q You claim that you have made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q When do you claim that that application was made? A
A October, 1902.

Examination by Mr. Watts:

Q When were you married? A September 4, 1902.
Q Where? A Skulleyville, Indian Territory.
Q Is that your marriage certificate (Handing witness paper)
A Yes sir.

Offered in evidence, marked Exhibit A., and made a part of this record, marriage certificate of the marriage between William LeFlore and Amanda Shoers.

Q You were married according to the laws of the Choctaw Nation
A Yes sir.
Q By whom? A Judge E. A. Moore.
Q County Judge of Skullyville county? A Yes sir.
Q Did you sometime after your marriage,-within a short time after your marriage- make application in writing to this Commission to be enrolled as a citizen? A Yes, I wrote a letter and sent in my marriage certificate.
Q When you say you made application by sending in this certificate to the Commission--you say you made application by sending this? A Yes sir.
Q Did the Commission acknowledge receipt of that application?
A Yes sir.

Offered in evidence, marked Exhibit B., and made a part of this record, letter written to the husband of the applicant by the Commission on September 18, 1902.

Q Why did you not apply in person? A My husband was sick and unable to leave home.

Offered in evidence, marked Exhibit C., and made a part of this record, affidavit of Dr. J. R. Butler.

Q Have you, since your marriage to William LeFlore, lived

continuously with him? A Yes sir.
Q And in the Choctaw Nation? A Yes sir.
Q Near Blaine? A Yes sir.
Q And you are living with him now? A Yes sir.
Q Was your not appearing before this Commission in person through any fault of yours or your husbands? A No sir.
Q Simply caused by the sickness of your husband? A Yes sir.

Offered in evidence, marked Exhibit D., and made a part of this record, affidavit of Amanda LaFlore.

Examination by the Commission:
Q You stated that you made personal application in October, 1902? A Yes, we came here in October, 1902.
Q You came before the Commission? A Yes, we were here in the office.
Q At what place? Here in Muskogee? A Yes sir.
Q Do you know what was said to you at that time?--Who did you see at that time? A I saw several, but I didn't know them.
Q Did you see any of the members of the Commission, so far as you know? A No.
Q What did you state to the person whom you did see at that time? A I told him when I was married,-they asked the question and who by, and all those questions, and one gentleman said that I was married too late, and one told us that we didn't get there in time; that was all the satisfaction they would give us; we didn't stay here very long; we went back home.
Q Had you ever, previous to your appearance in October, 1902, made any personal application? A No, I had forwarded the marriage certificate.
Q Do you remember when you forwarded that certificate? A I don't exactly remember the date; it seems like the 11th.
Q How soon after you were married was it that you forwarded it? A Just a few days after we were married.
Q At the time you married William LeFlore, where were you living? A Living at Blaine, Choctaw Nation.
Q Was his home in the Choctaw Nation at that time? A Yes sir.
Q Had you ever been married prior to your marriage to him? A No sir.
Q Had he ever been married prior to his marriage to you? A No.
Q Where have you lived since you were married? A Blaine-Five miles west of Blaine.
Q You have always lived in the Choctaw Nation since you were married to him? A Yes sir.
Q Did you take any further action looking towards your enrollment from the time you were here in October, 1902 until the present time? Have you done anything at all in that connection? A No, I have written three letters to the Commission, and employed Mr. Watts.
Q Have you received replies from the Commission? A Yes, I have the letters; I received answers.
Q You are a white woman, are you? A Yes sir.
Q You have no Indian blood at all? A No sir.
Q What is the name of your father? A Samuel Shoers.
Q He is a white man? A Yes sir.
Q What is the name of your mother? A Fannie E. Shoers.
Q They are both white people? A Yes sir.

Witness excused.

3-Amanda LeFlore.

William LeFlore being first duly sworn testified as follows:

Examination by the Commission:
Q What is your name? A William LeFlore.
Q What is your postoffice address? A Blaine, Indian Territory.
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
Witness is identified on Choctaw Field Card No. 2693, and is 7849 on the lists prepared by this Commission and approved by the Secretary of the Interior January 17, 1903.
Q Are you the husband of Amanda LefLore, who has just testified? A Yes sir.
Q She claims to have appeared before this Commission in October 1902 and sought to have made application, personally, for her enrollment. Can you tell us anything about that? A Yes sir.
Q What can you tell about it? A We appeared here before the Commission, and the reply that they gave us was that we had married too late; he didn't try to take my wife up, but he only said that we were married too late, and I kept on talking to him and he walked off; that is all the answer I could get out of him.
Q That appearance was made here in Muskogee? A Yes sir.
Q Do you know before whom it was? Was it before one of the Commissioners? A Yes, one of the Commissioners; an old gentleman.
Q Do you know what his name is? A No, I don't. I think it was Needles.
Q You think it was Mr. Needles? A I think so.
Q Had you, prior to that time, made any effort to secure your wife's enrollment? A No, only by sending the marriage certificate.
Q When was that sent in? A Sent in the 11th of September, 1902.
Q The certificate that has been introduced in evidence here shows that you were married the 4th day of September, 1902. Is that correct? A Yes sir.
Q At that time where were you living? A Blaine.
Q How long have you lived at Blaine? A Lived there about six years.
Q Where has your wife been living during that time? A Been living at Blaine.
Q Had you ever been married prior to your marriage to her?
A No sir.
Q Where have you lived since the time of your marriage?
A Five miles west of Blaine.
Q Always in the Choctaw Nation? A Yes sir.
Q You have never been separated from your wife at all?
A No sir.

Frances R. Lane upon oath states that asstenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic note s there of.

Frances R. Lane

Subscribed and sworn to before me this June 7, 1905.

J. Mansfield

Notary Public.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

7-2693.

Muskogee, Indian Territory, September 18, 1903.

William LeFlore,

Blaine, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th inst., stating that you desire to have your wife listed for enrollment as an intermarried citizen of the Choctaw Nation; for which purpose you enclose certificate of marriage between William LeFlore and Amanda Shores, and the same is returned to you herewith.

You are informed that the rules of the Commission require all applicants for enrollment as citizens by intermarriage of the Choctaw Nation to appear in person before the Commission for the purpose of an examination under oath, that a sufficient record may be made upon which to base a decision as to the right of the applicant to enrollment.

If your wife desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at any time prior to the closing of the final rolls of the citizens of the Choctaw Nation, at which

Ten to fourteen men may be taken on from ordinary ten to constable and
time entitles men to be sworn in as police during pleasure.

supernumerary.

It is the duty of the Police Force to preserve the peace, prevent
[illegible] and detect offenders, and enforce all laws in force within
[illegible]

ACTING CHIEF CONSTABLE.

[illegible]

[illegible]

[illegible]

time evidence of her marriage may be presented in support of her application.

If she anticipates making such application, it is suggested that she should do so with as little delay as possible.

Yours truly,

Acting Chairman.

Enc B I 76.

Unites States of America,
Centran District of the
Indian Territory,

Exhibit A

On this day personly appeared before me _____
A. K. Jennings A notary Public for the Centrel District of the Indian Territory, duly commissioned and acting. Amanda Laflore to me well known as being repuaable and entitled to credit and who after being by me duly sworn according to law says.

My name is Amanda Laflore, My age is 19 years, My post-office is Blaine. Ind. Ter. I am the wife of Wm. Laflore, and am an applicant for enrollment as an intermarried citizen of the Choctaw Nation, I was married to Wm. Laflore on the 4th day of Sept, 1902. according to the laws and usages of the Choctaw Nation. by E.A. Moore County Judge of Skullyville County Choctaw Nation.

My husband Wm. Laflore, taken sick with fever on or about 6th day of Sept. 1902. and was sick all during the month of Sept. and by reason of said sickness my entire attention and time was required at his bedside as I was his only nurse and comfort during his sickness, I make this affidavit for the purpose of showing to the commission to the five civilized tribes that my failure to appear before them during the month of Sept. 1902. was not through any fault or neglect of mine, but I was unavoidable delayed on the account of the sickness of my husband.

Amanda Laflore

Subscribed and sworn to before me this Nov 3rd day. 1902.

A. K. Jennings
Notary Public.

My commission expires 6th day of March 1904

LAW OFFICE OF

JESS W. WATTS,

ROOMS 3 AND 4, FIRST NATIONAL BANK BUILDING

SALLISAW, IND. TER.

LAW REPORTER CO., STATIONERS, 910 FIFTH ST. N. W., WASH., D. C.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

FILED

JUN 7 1905

CHAIRMAN.

United States of America
Central District of the
Indian Territory,

Exhibit C

On this day personally appeared before me A. H. Jennings a Notary Public for the Central District of the Ind.Ter.duly commissioned and acting, Dr.J.R.Butler. to me well known as being reputable and entitled to credit and who after being by me duly sworn according to law say's.

My name is Dr.J.R.Butler, My age is 43 years,My post-office is Stat Ind.Ter. I am the family physician of Wm. Laflore and Amanda Laflore,his wife. I was in constant attendance upon Wm.Laflore from 20 day of Sept 1902.to [redacted] day of Oct 1902.He being confined to his bed with Rematum, and unable to care for himself. His sickness was of such a nature that it required the personal attention of his wife,Amanda Laflore.

Affiant further says that oweing to the attention nesesarily required of Mrs.Laflore,it was impossible for her to leave the bedside of her husband during the dates above mentioned, as she was his only nurse and comfort, and she was therefore unable to attend before the commission to the five civilized tribes, for the purpose of being listed for enrollment as an intermarried citizen of the Choctaw Nation, Affiant has no interest either directly or indirectly in the prosecution of her claim.

J. R. Butler M.D.

Subscribed and sworn to before me this 3d Nov ~~day~~.1902.

A. H. Jennings
Notary Public.

My commission expires 6 day of March 1906 1902.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

FILED

JUN - 7 1905

CHAIRMAN

LAW OFFICE OF

JESS W. WATTS,

ROOMS 3 AND 4, FIRST NATIONAL BANK BUILDING

SALLISAW, IND. TER.

LAW REPORTER CO., STATIONERS, 940 FIFTH ST. N. W., WASH., D. C.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

FILED

JUN 7 1905

CHAIRMAN.

...Office of...

Clerk and Treasurer

Scullyville County

Choctaw Nation.

Exhibit A

190

Marriage Certificate

This is to certify that William LeFlore and Amanda Shores were lawfully married by me this the Fourth day of September 1902.

E. A. Moore.
County Judge
Skullyville Co.
Choctaw Nation
I.T.

Witness. Mrs E. A. Moore.

Memo-86.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the alleged application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation.

It appears from the record herein that on June 7, 1905, Amanda LeFlore appeared in person before the Commission to the Five Civilized Tribes and presented testimony relative to an application alleged to have been made for her enrollment as a citizen by intermarriage of the Choctaw Nation within the time limited by the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641).

The applicant testifies that she, with her husband, appeared in person before said Commission at Muskogee, Indian Territory, in October, 1902, and sought to make application for her enrollment; that she told the Commission at that time when she had been married, and was told by one person (she does not know who it was), that she had been married too late. Her testimony on this point is fully corroborated by the testimony of her husband, William LeFlore.

The applicant also testifies that prior to her said personal appearance, her husband had forwarded to the Commission her certificate of marriage, accompanied by a letter stating that he desired to have his wife listed for enrollment as a citizen by intermarriage of the Choctaw Nation. There is attached hereto and made a part of the record herein an original letter of the Commission to the Five Civilized Tribes to William LeFlore, bearing date September 18, 1902, acknowledging receipt of his letter bearing date September 11, 1902, and of the certificate of marriage between himself and the present applicant, and in said letter he is advised that the rules of the Commission require that applicants for citizenship by intermarriage shall make personal appearance before the Commission.

I am of opinion that the letter written by said William LeFlore to the Commission to the Five Civilized Tribes under date of September 11, 1902, constitutes a sufficient application for the enrollment of said Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation made as of that date, and that said application should now be heard and determined upon its merits, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

JUL 25 1905

7-2693.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation.

- - : D E C I S I O N : - -

It appears from the record herein that application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation was duly made to the Commission to the Five Civilized Tribes within the time limited by the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641).

It appears from the record herein that on September 4, 1902, Amanda LeFlore, the applicant herein, was lawfully married to William LeFlore, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 7849 upon the lists prepared by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have resided together continuously as husband and wife in said Nation from the date of their marriage up to and including September 25, 1902.

I am therefore of the opinion that Amanda LeFlore should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

NOV 1[illegible] 1905.

COPY

7-2693

Muskogee, Indian Territory, November 13, 1905.

Amanda LeFlore,

Blaine, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 13, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against your enrollment. If at the expiration of that time no protest has been filed, your name will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl.

7-2693

Muskogee, Indian Territory, November 13, 1905.

COPY.

R. H. Gardner,

Stigler, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 13, 1905, rendered his decision granting the application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Amanda LeFlore will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tibbing

Registered.

Commissioner.

7-2693

Muskogee, Indian Territory, November 13, 1905.

Jess W. Watts,

Attorney at Law,

Sallisaw, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on November 13, 1905, rendered his decision granting the application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the enrollment of said applicant. If at the expiration of that time no protest has been filed, the name of Amanda LeFlore will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby

Registered.

Commissioner.

COPY.

7-2693

Muskogee, Indian Territory, November 13, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 13, 1905, granting the application for the enrollment of Amanda LeFlore as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against her enrollment. If at the expiration of that time no protest has been filed, the name of Amanda LeFlore will be placed upon the final roll of citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Registered. Commissioner.

Incl. 7-2693

See 7-2693 for registry receipt for this letter.

Form No. 593.

No. 1 6 2 7.

M A R R I A G E L I C E N S E.

-----:-----

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss:
CENTRAL DISTRICT.)

To any person authorized by law to solemnize marriage--
GREETING:

You are hereby commanded to solemnize the rite and publish the banns of matrimony between Mr. Edgar L. Shores of Blaine in the Indian Territory, aged 23 years, and Mrs. Maggie Leflore of Blaine, in the Indian Territory, aged 25 years, according to law, and do you officially sign and return this license to the parties therein named.

Witness my hand and official seal this 4" day of December, A.D. 1902.

By T.T. VARNER, (Signed) E.J. FANNIN.
Deputy. Clerk of the United States Court.

(SEAL)

-----:-----

C E R T I F I C A T E O F M A R R I A G E.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss:
CENTRAL DISTRICT.)

I, W.J. Lisk, a Minister of the Gospel, do hereby CERTIFY, that on the 6th day of December A.D. 1902, I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the banns of matrimony between the parties therein named.

Witness my hand this 6th day of December, A.D. 1902.

My credentials are recorded in the office of the Clerk

7-2693

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 17 1903

ACTING CHAIRMAN.

of the United States Court in the Indian Territory, Central District, Book B, Page 86.

(Signed) W.J. Lisk,

a Minister of the Gospel.

-----:-----

NOTE:- This license and certificate of marriage must be returned to the office of the Clerk of the United States Court of the Indian Territory from whence it was issued, within sixty days from the date thereof, or the party to whom the license was issued will be liable in the amount of One Hundred Dollars ($100.00).

-----:-----

Endorsed: NO. 1627.

CERTIFICATE OF RECORD OF MARRIAGES.

United States of America,)
The Indian Territory,) Sct:
Central District.)

I, E.J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the license for and certificate of the marriage of Mr. Edgar L. Shores and Mrs. Maggie Leflore was filed in my office in said Territory and District the 19 day of December, A.D. 1902, and duly recorded in Book 2 of Marriage Record, Page 196.

WITNESS my hand and seal of said Court, at Poteau this 19" day of December, A.D. 1902.

(Signed) E.J. Fannin, Clerk.

By T.T. Varner, Deputy.

(SEAL)

-----:-----

I, Beryl Ingram, stenographer for the Commission to the Five Civilized Tribes, on my oath state that the above and foregoing is a full, true and correct copy of the original marriage license and certificate between Edgar L. Shores and Maggie Leflore, as offered for filing with the records of said Commission.

Subscribed and sworn to before me this 19th day of January, 1903.

Charles K. Sawyer

Notary Public.

7-2643

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JAN 17 1903

ACTING CHAIRMAN.

I, Amanda Leflore

Keota

Stater

my me my

me

my

18 Aug

Amanda Leflore

Amanda Leflore
personally well known to me

She

& Considerations

18 Aug

Henry F Cooper

Oct 29 8

Substitute

7-2093.

Muskogee, Indian Territory, February 10, 1903.

Edgar L. Shores,

Blaine, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 15, 1903, requesting to be advised whether the name of your wife, formerly Maggie LeFlore, has been changed upon our records from her former name to her present married name of Shores; and requesting the return of your marriage license and certificate.

You are advised that the name of your wife appears upon the final rolls of the citizens of the Choctaw Nation as approved by the Secretary of the Interior January 17, 1903, as Margaret LeFlore; therefore no change in her name can be made.

You are further advised that it appears from our records that on January 19, 1903, the marriage license and certificate of Edgar L. Shores and Maggie LeFlore was received at this office, and that a certified copy thereof was prepared and filed with our records in the matter of the application for enrollment of Maggie LeFlore as a citizen by blood of the Choctaw Nation; and the original returned to you at Blaine, Indian Territory, on the above mentioned date.

Respectfully,

Acting Chairman.

7-2693

Muskogee, Indian Territory, August 12, 1904.

Edgar Shores,

Wilburton, Indian Territory.

Dear Sir :-

Receipt is hereby acknowledged of your letter of July 13, 1904, addressed to the Choctaw Land Office, at Atoka, Indian Territory, and by that office referred to this Commission for consideration and appropriate action. Therein you state that you made application at Wister, Indian Territory, December 12, 1902, and you request to be advised relative thereto, stating that your wife was Margaret Leflore, daughter of William Leflore. You also request information relative to the enrollment of your baby, Maggie Lee Shores.

You are advised it does not appear from our records that any application has ever been made to this Commission for the enrollment of Edgar Shores as an inter-married citizen of the Choctaw Nation, or for the enrollment of your infant child, Maggie Lee Shores, as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-2693

Muskogee, Indian Territory, May 19, 1905.

Amanda LeFlore,

Blain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 9, 1905, giving information relative to your enrollment as an intermarried citizen of the Choctaw Nation; you state that you forwarded your marriage license to the Commission in September 1902 and receipt thereof was acknowledged to you September 18, 1902, and you were notified to appear in person before the Commission for the purpose of presenting your application for enrollment, but were prevented from doing so on account of your husband's illness.

In reply to your letter you are advised that if it is insisted that application has been made for your enrollment as an intermarried citizen of the Choctaw Nation prior to December 25, 1902, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, accompanied by the person by whom the application was made and witnesses who have knowledge of the facts, at which time your testimony will be taken relative thereto.

Respectfully,

7-2693.

Muskogee, Indian Territory, July 26, 1905.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to Choctaw roll card No. 2693 Margaret LeFlore, et al., there is inclosed herewith copy of name and information this day placed at No. 3 on said card, Amanda LeFlore.

You are therefore directed to make duplicate Choctaw card No. 2693 in the possession of your office conform to the information thereon and add the name of this applicant to the list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Incl. K-20.

Commissioner.

7-2693.

Muskogee, Indian Territory, July 26, 1905.

Chief Clerk,
Chickasaw Land Office,
Ardmore, Indian Territory.

Dear Sir:

Referring to Choctaw roll card No. 2693 Margaret LeFlore, et al., there is inclosed herewith copy of name and information this day placed at No. 3 on said card, Amanda LeFlore.

You are therefore directed to make duplicate Choctaw card No. 2693 in the possession of your office conform to the information thereon and add the name of this applicant to the list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Incl. K-21.

Commissioner.

7-2693

Muskogee, Indian Territory, January 4, 1906.

Amanda Le Flore,

Blaine, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 28, 1905, asking when you will be allowed to file on your allotment.

In reply to your letter you are advised that your name has not yet been placed upon a schedule of intermarried citizens of the Choctaw Nation prepared for forwarding to the Secretary of the Interior, but will be placed upon the next schedule so prepared.

You will be notified when your enrollment is approved by the Department.

Respectfully,

Commissioner.

7-2693
7-5981

Muskogee, Indian Territory, March 13, 1906.

Charles T. Mitchell,

Attorney at Law,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 8, 1906, asking the status of the application of Dora Workman and Amanda LeFlore as intermarried citizens of the Choctaw Nation.

In reply to your letter you are advised that the name of Amanda LeFlore has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded the Secretary of the Interior, but this office has not been notified of Departmental action thereon.

You are further advised that the application of Dora Workman as an intermarried citizen of the Choctaw Nation is now receiving consideration and you will be notified of such action as is taken therein.

Respectfully,

Acting Commissioner.

2694 Loren Cobb Chc

2694

7-3694
7-3700

Muskogee, Indian Territory, December 26, 1902.

Loren Cobb,

Shadypoint, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the applications for enrollment as citizens of the Choctaw Nation of Armas Cobb and Thomas Cobb, twin sons of Loren and Sarah Cobb, born September 11, 1902; and the same being in proper form have been duly filed with the records of the Commission, and the children listed for enrollment as citizens of the Choctaw Nation.

Receipt is also acknowledged of the marriage certificate between Lorn Cobb and Sarah James, April 20, 1901; and the same has been duly filed with the records of the Commission in the matter of the applications for enrollment of the above named children.

Respectfully,

Acting Chairman.

2695 Cyrus B. Ward choc

2695

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Maggie Ward as Choctaw by blood; Thomas D. Ainsworth being sworn and examined by Com'r McKennon testifies:

Thomas D. Ainsworth, forty-eight years old.

Q Do you know Maggie Ward? A Yes sir.

Q The present wife of Cyrus Ward? A Yes sir.

Q Do you know her father, John Parish? A Yes sir.

Q Was he a Choctaw Indian by blood? A Supposed to be.

Q He was a recognized citizen? A Yes sir.

Q Did you know Barthena, his wife? A Yes sir.

Q She was a white woman? A Yes sir.

Q What do you know about their marriage? A I don't know anything about their marriage; I know they was divorced in the Circuit Court here.

Q Do you know they had been living together as husband and wife, they had been recognized by the people in the neighborhood as such? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that the foregoing is a true and correct transcription of my stenographic notes taken in the above entitled matter.

M D Green

Copy

Certificate
C. B. Ward
to
Mollie Hawkins.

"Marriage Certificate"

Copy

This certifies that C. B. Ward and Mollie Hawkins, were united by me in the Holy Bonds of Matrimony at Schullyville on the 1st day of January in the year of our Lord 1878.

In presence of
Lizzie Kribbs.

Signed
Nathaniel F. Kribbs,
Co. Judge.

Ind. Ter.
Choctaw Nation }

This is to certify that the above is a true copy of the "Marriage Certificate" as it is recorded in the Holy Bible now in my possession.

Witness my hand and seal this 14th day of June 1899.

J. L. Lewis,
Notary.

Com. Exp. Apr. 1901.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Beulah [illegible]

as a citizen of

[illegible] Nation.

Approved, DEC 14 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 14 1901

ACTING CHAIRMAN

CHOCTAW.

2695

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bulah Olena Long, born on the 8th day of November, 1901
(Here insert name of child)
Name of Father: Will D. Long, by marriage a citizen of the Choct, Nation.
Name of Mother: Flaurah Long, a citizen of the Choctaw Nation.
Post-office, Milton, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Flaurah B. Long, on oath state that I am 19 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Will D. Long who is a citizen, by Marriage, of the Choctaw Nation; that a Girl (male or female) child was born to me on the 8th day of November 1901; that said child has been named Bulah Olena Long, and is now living.

Flaurah Long

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 10 day of Dec 1901.

L. F. Lewis
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, J. H. Kern, a Physician, on oath state that I attended on Mrs. Flaurah Long, wife of Will D. Long, on the 8th day of November, 1901; that there was born to her on said date a Girl (male or female) child; that said child is now living and is said to have been named Bulah Olena Long.

J. H. Kern M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 10 day of Dec. 1901.

Milton I.T.

L. F. Lewis
NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

C. Dewey Ward

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

7-2695

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Cyrus Dewey Ward, born on the 10 day of Nov, 1898.

Name of father: Cyrus B. Ward, a citizen of the Choctaw Nation.

Name of mother: Maggie Ward, a citizen of the Choctaw Nation.

Post Office: Milton, Ind. Ty.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Maggie Ward, on oath, state that I am 33 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Cyrus B. Ward who is a citizen, by blood, of the Choctaw Nation; that a boy child was born to me on the 10 day of Nov, 1898; that said child has been named Cyrus Dewey, and is now living.

Maggie Ward

Subscribed and sworn to before me this 19 day of June, 1899

J. L. Lewis
Notary Public.

Com. Exp. [illegible]

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, H. C. Hunt, a Physician, on oath, state that I attended on Mrs. Maggie Ward, wife of Cyrus B. Ward on the 10 day of Nov., 1898; that there was born to her on said date a boy child; that said child is now living and is said to have been named Cyrus Dewey.

H. C. Hunt

Subscribed and sworn to before me this 19 day of June, 1899.

[illegible]
Notary Public.

7-2695

No. 7-2

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } SCT:

I, [illegible], Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. [illegible] and Mrs. [illegible] was filed in my office in said Territory and District the ..... day of ..... A. D. 190[illegible] and duly recorded in Book 1 of Marriage Record, Page [illegible]

WITNESS my hand and seal of said Court, at ..... this ..... day of ..... A. D. 190

..... Clerk.

By ..... Deputy.

7-6-0

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 14 1902

[signature] ACTING CHAIRMAN.

No. 1113

FORM No. 593.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. William [illegible] of Milton in the Indian Territory, aged 24 years, and Miss Flaurah Ward of Milton in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 21 day of October, A. D. 1900

By [illegible], Deputy.

[illegible]
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

I, Isaac Napier
a Minister

do hereby CERTIFY, that on the 11 day of November, A. D. 1900, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.

Witness my hand this 11 day of November, A. D. 1900

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book 21, Page 20

Isaac Napier
a Minister

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.00).

7—660

No. 1771

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } SCT:

I, E J Farrin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. C. E. Church and Miss Nealie Whalen was filed in my office in said Territory and District the 6th day of May A. D. 1903 and duly recorded in Book 2 of Marriage Record, Page 361

WITNESS my hand and seal of said Court, at Potean this 6 day of May, A. D. 1903

E J Farrin
Clerk.

By T T Varner
Deputy.

7—660

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 10 1905
CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 10 1905
CHAIRMAN.

No. 1771

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } SCT:

I, E J Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. C. B. Ward and Miss Nealie Whalen was filed in my office in said Territory and District the 6" day of May, A. D. 1903 and duly recorded in Book 2 of Marriage Record, Page 368

WITNESS my hand and seal of said Court, at Potean this 6 day of May, A. D. 1903

E J Fannin
Clerk.

By T T Varner
Deputy.

7—660

No. 1771

FORM No. 593.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the **Banns of Matrimony** *between* Mr. E. B. Ward *of* Milton *in the Indian Territory, aged* 52 *years, and* Miss Nealie Whalen *of* Milton *in the Indian Territory, aged* 30 *years, according to law, and do you officially sign and return this License to the parties therein named.*

WITNESS my hand and official seal, this 6" *day of* May, *A. D. 190*3

By J. T. Varner
Deputy.

E. J. Gamm
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

I, J. R. Smith
a Minister

do hereby CERTIFY, that on the 9 *day of* May, *A. D. 190*3 *I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.*

Witness my hand this 9 *day of* May, *A. D. 190*

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book 2, *Page*

J. R. Smith
a Minister

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.00).

7—660

Muskogee, Indian Territory, December 14, 1901.

W. I. Long,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Bulah Olena Long, the infant daughter of Will I. and Flourah Long, born, November 8, 1901, and such application being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to forward either the original or certified copy of the marriage license and certificate between yourself and Flourah Ward as authority for the changing of her name upon our records from her maiden name to her present married name.

Yours truly,

Commissioner in Charge.

7-2695

Muskogee, Indian Territory, January 14,1902.

W. I. Long,

Wilton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of certified copy of the marriage license and certificate between William I. Long and Miss Tamarah Ward, and the same has been duly filed with the records of this office.

Yours truly,

Commissioner in Charge.

7- 8698

7-2695

Muskogee, Indian Territory, April 21, 1904.

C. B. Ward,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of E. F. Hodges, relative to the birth of your infant child, Lenia Orla Ward, January 12, 1904, which it is presumed have been forwarded to this office as an application for enrollment of the above named child as a citizen by blood of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress, approved July 1, 1902, the Commission is without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

7-3095

Muskogee, Indian Territory. September 7, 1904.

Cyrus B. Ward,

Milton, Indian Territory.

Dear Sir:-

A letter of recent date addressed by this Commission to your son David R. Ward, Milton, Indian Territory and been returned marked "deceased."

If it is a fact that said David R. Ward is dead, proof of his death should be immediately furnished the Commission and blanks for that purpose are enclosed herewith together with an envelope for return of same when properly executed.

Please give this matter immediate attention.

Respectfully,

Chairman.

7-2695

Muskogee, Indian Territory, January 31, 1905.

Flaurah B. Long,

Brasil, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit and the affidavit of F. C. Parrott relative to the birth of Jewell V. Long, son of William I. and Flaurah B. Long February 11, 1904, which it is presumed have been forwarded as an application for the enrollment of said child.

You are advised that under the provisions of the act of Congress approved July 1, 1902, no children born to citizens of the Choctaw and Chickasaw Nations subsequent to September 25, 1902, the date of the ratification of said act, are entitled to enrollment and allotment in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-2695

Muskogee, Indian Territory, August 16, 1905.

Nealie Ward,

Bokoshe, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of August 9, 1905, stating that you are the lawful wife of C. B. Ward, a citizen by blood of the Choctaw Nation, and have not yet been enrolled, you therefore ask to be enrolled as an intermarried citizen of the Choctaw Nation; you also state that you have already forwarded your marriage license and certificate.

In reply to your letter you are advised that the marriage license and certificate between C. B. Ward and Nealie Whalem under date of May 6, 1903, has been filed in this office in support of the application for the enrollment of your child, Lena Ola Ward.

You are further advised that under the provisions of the act of Congress approved July 1, 1902, no person who is married to an enrolled citizen of the Choctaw or Chickasaw Nation subsequent to September 25, 1902, the date of the ratification of said act, is entitled to enrollment as an intermarried citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Acting Commissioner.

7-2695

Muskogee, Indian Territory, March 22, 1906.

Roy C. Oakes,

Sulphur, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letters of March 10 and 16, 1906, asking the ages of Cyrus D. Ward, Allie Ward, Jerry D. Ward, Campbell L. Ward and Lena Ola Ward as they appear upon the rolls; you state that you are legal guardian for these children and cannot file your inventory of property until you know the ages of said children.

In reply to your letter you are advised that Jerry D. Ward, Campbell L. Ward, Alie Ward and Cyrus D. Ward have been enrolled as citizens by blood of the Choctaw Nation and their names appear upon the approved roll of citizens by blood of said nation, which was made as of September 25, 1902, as sixteen, ten, seven and four years respectively.

You are further advised that it does not appear from the records of this office that there is a child in this family named Lena Ola Ward. It does appear, however, that Bulah Olena Long, child of Flaurah B. Long has been enrolled as a citizen by blood of the Choctaw Nation and her age appears upon the approved roll of citizens of said nation as one year, she having been born No-

R. C. O. #2

vember 8, 1901.

Respectfully,

Acting Commissioner.

7-2695

Muskogee, Indian Territory, May 23, 1906.

Cyrus B. Ward,

Sulphur, Indian Territory.

Dear Sir:

Your letter of May 4, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you state you are a Choctaw Indian by blood and enrolled as such; that on May 6, 1903, you married a white woman and you desire to have her enrolled.

You are advised that under the act of Congress approved July 1, 1902, no person who married a citizen of the Choctaw or Chickasaw Nation subsequent to September 25, 1902, the date of the ratification of said act, is entitled to enrollment and allotment in the Choctaw and Chickasaw Nations.

Respectfully,

Acting Commissioner.

2696 Silas Darneal Choc

2696

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, Indian Territory, December 18, 1902.

Choctaw 2696.
Intermarried.

In the matter of the application of Henrietta Darneal for enrollment as an intermarried citizen of the Choctaw Nation.

Henrietta Darneal, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Henrietta Darneal.
Q How old are you? A Twenty four.
Q What is your post office address? A OakLodge, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Fifteen years.
Q Have you lived here continuously for the past fifteen years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Silas Darneal.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Silas Darneal? A In 1887.
Q Where was the marriage ceremony performed? A Fort Smith.
Q At that time were you living in the state of Arkansas? A No sir, living in the nation.
Q Both of you were living in the Choctaw Nation? A Yes sir.
Q Were you married under the laws of the state of Arkansas? A Yes sir.
Q Were you ever married previous to your marriage to Silas Darneal?
A No sir.
Q Was he ever married previous to his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

--oOo--

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to before me this 7th day of January 1903.

Charles W. Sawyer
Notary Public.

7-2696

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henrietta Darneal as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Henrietta Darneal (nee Webb) on May 9, 1887, was lawfully married to Silas Darneal, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7861 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Henrietta Darneal should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw 2696

COPY.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Henrietta Darneal for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.
Commissioner in Charge.

Registered

Enc MYC 32/20

Choctaw 2696

COPY.

Muskogee, Indian Territory, July 20, 1903.

Henrietta Darneal,

Oak Lodge, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.

Commissioner in Charge.

Registered.

Enc MYC 31/20

IN RE

Application for Enrollment of

INFANT CHILD,

Emma E. Darneal

As a citizen of the

Choctaw Nation.

Approved June 16 1899

Commissioner.

Roll 1365

7-2696

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Emma E. Darneal, born on the 21 day of January 1897

Name of father: Silas Darneal, a citizen of the Choctaw Nation.

Name of mother: Henrietta Darneal, a citizen of the Choctaw Nation.

Post Office: Oak Lodge, Ok.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Henrietta Darneal, on oath, state that I am 30 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Silas Darneal who is a citizen, by blood, of the Choctaw Nation; that a Girl child was born to me on the 21 day of January, 1897; that said child has been named Emma E. Darneal and is now living.

henry etta darneal

Subscribed and sworn to before me this 16 day of June, 1899.

Frank E. Parke
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Julia Jones, a Midwife, on oath, state that I attended on Mrs. Henrietta Darneal, wife of Silas Darneal on the 21 day of January, 1897; that there was born to her on said date a Girl-child; that said child is now living and is said to have been named Emma E. Darneal.

Witness:
Thos E Ainsworth

Julia her mark Jones

Subscribed and sworn to before me this 16 day of June, 1899

Frank E. Parke
Notary Public.

MARRIAGE LICENSE.

State of Arkansas, County of Sebastian, Fort Smith District.

To any Person Authorized by Law to Solemnize Marriage -- Greeting:

You are hereby commanded to solemnize the Rite and publish the Bans of Matrimony between Mr. Silas Darnell, of the ~~County of~~ Choctaw Nation and ~~State of~~ Indian Territory, aged Twenty years; and Miss Henrietta Webb, of the ~~County of~~ Choctaw Nation and ~~State of~~ Indian Territory, aged Twenty years, according to law. And do you officially sign and return this License to the parties herein named.

WITNESS my hand and official seal, this 9th day of May 1887

Jno. H. McClure
CLERK OF THE COUNTY COURT

By Jno. H. McClure D. C.

CERTIFICATE OF MARRIAGE.

STATE OF ARKANSAS, }
County of Sebastian } I, S. R. Keam do hereby certify, that on the 9th day of May A. D. 1887, I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

S. R. Keam

My Credentials are Recorded in ~~County, Arkansas.~~ Impanay.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS, }
COUNTY OF SEBASTIAN, }
FORT SMITH DISTRICT. } I, ~~S. R. Keam~~ Jno. H. McClure Clerk of the County Court of said County, certify that the above License for, and Certificate of Marriage of Silas Darnell and Henrietta Webb were, on the 9th day of May 1887, filed in my office, and the same are now duly recorded on page 1397 of book C of Marriage Records.

WITNESS my hand and the seal of said Court, this 7 day of May 1887

Jno. H. McClure
Clerk of the County Court

By Jno. H. McClure D. C.

J. H. Mayers & Co., Printers, Fort Smith

7-2696

Muskogee, Indian Territory, July 31, 1907.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

It appearing that the card number opposite the name of Ida M. Darneal at No. 7864 upon the roll of citizens by blood of the Choctaw Nation should be 2696 instead of 2698 as it now appears the same has been corrected upon the copies of the roll in this office and you are directed to make like change upon the copy of the roll in your possession.

Respectfully,

Commissioner.

7-2696

Muskogee, Indian Territory, July 31, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

On November 18, 1902, the Commission to the Five Civilized Tribes transmitted for consideration of the Department a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation numbers 7007 to 7995 inclusive which was approved by the Secretary of the Interior January 17, 1903.

I have the honor to report that the card number "2698" appearing opposite the name of Ida M. Darneal at No. 7864 upon said schedule should be "2696" and has been changed upon the copies in the possession of this office from 2698 to 2696 and I have the honor to recommend that the same change be made upon the copies of the approved roll in the Department and the Indian Office.

Respectfully,

Through the
Commissioner of Indian Affairs.

Commissioner.

7-2696

Muskogee, Indian Territory, August 3, 1907.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

It appearing that card number 2698 opposite the name of Ida Darneal at number 7864 upon the approved roll of citizens by blood of the Choctaw Nation should be 2696, you are directed to correct the card number opposite said name to read 2696.

The request has been made to the Department to change the rolls in its possession and the copy in the possession of the Indian Office.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. August 14, 1907.

GAW

I.T.
67012-1907.

Subject:
Change of card number
Ida M. Darneal, Choctaw
blood roll.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On July 31, 1907, you reported that the card numbef appearing opposite the name of Ida M. Darneal at No. 7864 on the approved roll of citizens by blood of the Choctaw Nation, should be 2696 instead of 2698.

On August 9, 1907, the Department granted authority to make the change, and the roll in the possession of the Office has been corrected accordingly.

Very respectfully,

F. E. Leupp,

Commissioner.

RJH

2697 Robert Kincade choc

2697

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Mary Kincade

as a citizen of

Choctaw Nation.

Approved, MAY 15 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 15 1901

ACTING CHAIRMAN

CHOCTAW.

7-2697

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Mary Kincade (Here insert name of child), born on the 8th day of March, 1901

Name of Father: Robert Kincade, a citizen of the Choctaw Nation.

Name of Mother: Addie Kincade, a citizen of the Choctaw Nation.

Post-office, Iona, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Addie Kincade, on oath state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Robert Kincade, who is a citizen, by blood, of the Choctaw Nation, that a female (male or female) child was born to me on the 8th day of March 1901; that said child has been named Mary Kincade, and is now living.

Addie Kincade

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 6th *day of* May 1901.

E. B. Hamilton
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mrs. N. J. Cox, a midwife, on oath state that I attended on Mrs. Addie Kincade, wife of Robert Kincade, on the 8th day of March, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Mary Kincade [illegible]

WITNESSES TO MARK:

(Must be Two Witnesses) Eben Reynolds
W. B. Marshall

Subscribed and sworn to before me this 6th *day of* May 1901.

E. B. Hamilton
NOTARY PUBLIC.

INDEXED

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Rena Josephine Kincade

as a citizen of

Choctaw Nation.

Approved, MAY 15 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 15 1901

ACTING CHAIRMAN

CHOCTAW

7-2697

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE *Application for Enrollment*, as a citizen of the Choctaw Nation,
of Vena Josephine Nuicade (Here insert name of child), born on the 8th day of March, 1901
Name of Father: Robert Nuicade, a citizen of the Choctaw Nation.
Name of Mother: Addie Nuicade, a citizen of the Choctaw Nation.
Post-office, Lona, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Central District. }

I, Addie Nuicade, on oath state that I am 24 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Robert Nuicade, who is a citizen, by Blood, of the Choctaw Nation, that a female (male or female) child was born to me on the 5th day of March, 1901; that said child has been named Vena Josephine Nuicade, and is now living.

Addie Nuicard

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 6th *day of* May, 1901.

E. B. Hamilton.
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Central District. }

I, Mrs. N. J. Cox, a midwife, on oath state that I attended on Mrs. Addie Nuicade, wife of Robert Nuicade, on the 5th day of March, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Vena Josephine Nuicade.

WITNESSES TO MARK:
(Must be Two Witnesses) Edna Reynolds
Howard Marshall

Subscribed and sworn to before me this 6th *day of* May, 1901.

E. B. Hamilton.
NOTARY PUBLIC

Office of N. J. HOLSON,
CIRCUIT JUDGE,
First Judicial District, Choctaw Nation.

Marriage Certificate
and
Affidavit

Before, Ind. Ter., [illegible] 189[illegible]

Choc. Roll 7866. COPY o.k.WIA

Sans Bois County,
Choctaw Nation.

OFFICE OF COUNTY AND PROBATE COURT:

THE CHOCTAW NATION TO ADDIE KINCADE, GREETING:

In the Probate Court of Sans Bois County, held on the First Monday of August, a. d. 1903, at Kintah, I. T., the seat of justice of said county, you were appointed Administrator of the estate of Robert Kincade and George Kincade, deceased, of said county.

Therefore, you are empowered and required fully and faithfully to perform this trust, to ask, levy, recover and receive all the estate, real and personal, of said deceased, Robert Kincade and George Kincade, to render to our said Court inventory thereof, as well as any and all other accounts of the same, and to do all things connected with said trust, according to law and the orders and decrees of said Court therein.

In witness whereof I have set my hand and affixed the seal of said County Office this 3rd day of August, A. D. 1903.

(signed) JOHN W. WYERS,

SEAL: County and Probate Clerk, Sans Bois County, C. N.

Attest by Deputy:

H. M. Moore,

Deputy Clerk, Sans Bois County, C . N.

-:-

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of original now on file in Choctaw allotment jacket No. 7866 at the Choctaw Land Office of the Commission to the Five Civilized Tribes.

Fred V. Kincade

Sworn to before me this 5th day of November, 1903.

Mark Shelby

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JAN 16 1902

ACTING CHAIRMAN.

CHOCTAW. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of

[illegible] Nation.

Approved [illegible] 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 3 1902

ACTING CHAIRMAN.

2697.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Baker Tecumseh, born on the 22nd day of September, 1901
(Here insert name of child.)
Name of Father: Hewston Tecumseh a citizen of the Choctaw Nation.
Name of Mother: Ida Tecumseh a citizen of the Choctaw Nation.
Post-office Bokoshe Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Canadian District.

I, Ida Tecumseh, on oath state that I am about 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Hewston Tecumseh, who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on 22nd day of September 1901; that said child has been (male or female.)
named Baker Tecumseh, and is now living.

Ida Tecumseh

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 20th day of December 1901.

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Canadian District.

I, Rhoda James, a midwife, on oath state that I attended on Mrs. Ida Tecumseh wife of Hewston Tecumseh
on the 22nd day of September, 1901; that there was born to her on said date a male child; that said child is now living and is said to have been
(male or female)
named Baker Tecumseh.

Rhoda James

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 30th day of December 1901.

NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

Emerine Linsey

As a citizen of the

..... Nation.

Approved ..... 1.....

A. S. McKennon

Commissioner.

2697.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Sans Bois Co 25, born on the 6 day of Jan, 1894.

Name of father: Rafert Kincad, a citizen of the Choctaw Nation.

Name of mother: ambeigty Kincad a citizen of the Choctaw Nation.

Post Office: Soma

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
central District.

I, ambeigty Kincad, on oath, state that I am ..... years of age and a citizen, by ....., of the ..... Nation; that I am the lawful wife of ..... who is a citizen, by ....., of the ..... Nation; that a ..... child was born to me on the ..... day of ....., 1..; that said child has been named .....,
and is now living.

Subscribed and sworn to before me this ..... day of ....., 1.....

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
central District.

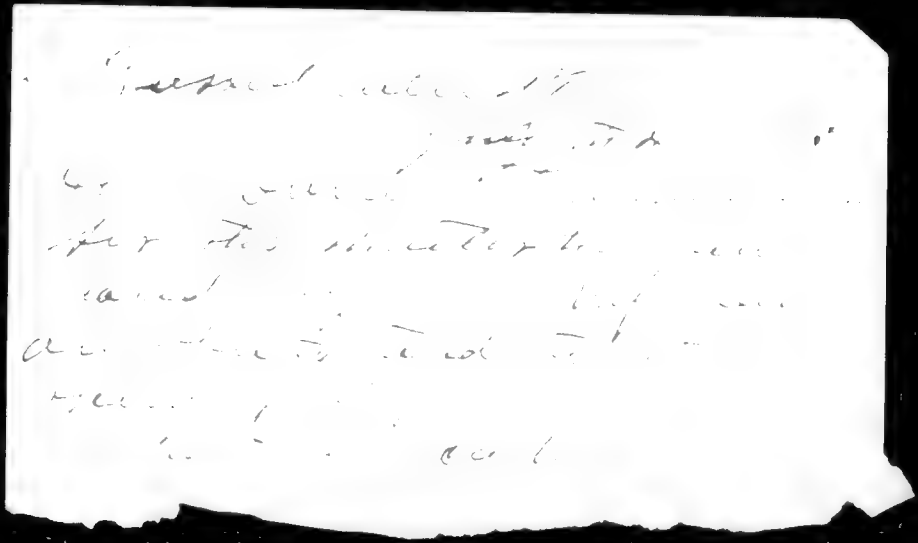
I, N J cox, a midwife, on oath, state that I attended on Mrs. ambeigty cincad, wife of Robert Kincadd on the 6 day of Jan, 1894; that there was born to her on said date a girl child; that said child is now living and is said to have been named Emaine francis Kincad.

Subscribed and sworn to before me this 4 day of July, 1894.

S P Davis

Notary Public.

My Commission Expires March 14 1898.



Muskogee, Indian Territory, April 12, 1901.

Mr. Robert Kincade,

Lona, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 6th inst., requesting that you be furnished with two birth certificates for the enrollment of infant children.

There is enclosed you herewith two blanks of such description. In having the same executed, be careful to see that all blanks are properly filled, all names written in full and in the event that either the mother, the attending physician or nurse making affidavit to the birth of the child, are unable to write and their signatures are by mark, that such signatures are attested by two disinterested parties as witnesses thereto. The notary public taking the acknowledgments of the mother and attending physician or nurse, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Acting Chairman.

B.C.R

7-2697

Muskogee, Indian Territory, May 15, 1901.

Mr. Robert Kincade,

Lona, Ind, Ter.

Dear Sir;-

The Commission is in receipt of the application for enrollment as citizens of the Choctaw Nation, of Mary Kincade, and Rena Josephine Kincade, twins, and infant daughters of Robert and Addie Kincade, born March 8, 1901, and the same being in proper form, have been duly filed with the records of the Commission and the two children listed for enrollment as citizens of the Choctaw Nation.

Yours truly,

7-2697.

Acting Chairman.

Bokoshe, Ind. Ter.

Dec. 21st 1901.

Department of the Interior

Commission to the Five Civilied Tribes,

Muskogee, I. T.

I am send in an essential part with the Birth affidvid so you or Commissioners of the five Civilized Tribes may Recognize me by the record Book. I was Registered at The town of Spiro, I. T. in the county of Skullyville C. N.

I am the daughter of J. H. Kincade (deceased), he is not on the record. My uncle Robert Kincade have me registered at the above place. My name was Ida Kincade at that time, but have been changed since.

Mrs Ida Tecumseh.

Muskogee, Indian Territory, January 3, 1902.

Mrs. Ida Tecumseh,

Bokoshe, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 21, 1901, enclosing the application for enrollment as a citizen of the Choctaw Nation of Baker Tecumseh, the infant son of Newston and Ida Tecumseh, born September 22, 1901, and such application being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to forward either the original or certified copy of the marriage license and certificate between yourself and Newston Tecumseh as authority for the changing of your name upon our records from your maiden name of Ida Kincade to your present married name.

Yours truly,

7-2697

Commissioner in Charge.

Muskogee, Indian Territory, January 16, 1902.

Ida Tecumseh,

Bokoshe, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 13th instant, enclosing the certificate of Ed Lanier, County Judge of Skullyville County, Choctaw Nation as to the marriage on August 14, 1900, of Huston Tecumseh and Ida Kincade and the same has been filed with the records of the Commission as authority for the changing of your name upon our records from your maiden name of Ida Kincade to your present married name of Ida Tecumseh.

Yours truly,

Commissioner in Charge.

7-2697

Choctaw 2697

Muskogee, Indian Territory, April 10, 1903.

Addie Kincade,

McCurtain, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 1, asking if you will be permitted to select allotments for your husband, Robert Kincade, who died November 16, 1902, and his son, who died December 15, 1902.

In reply to your letter your attention is invited to rules thirteen of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, a copy of which is herewith inclosed you.

Respectfully,

Chairman.

Rules for allotment.

Chootaw 2697

Muskogee, Indian Territory May 25, 1903.

C. M. James,

Iron Bridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 1903 in which you ask if Ida Kincade is enrolled as a citizen by blood of the Chootaw Nation.

In reply to your letter you are informed that it appears from our records that Ida Tecumseh, daughter of Joseph and Selina Kincade has been enrolled by this Commission as a citizen by blood of the Chootaw Nation and on January 17, 1903 her enrollment was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-2697

Muskogee, Indian Territory July 10, 1903.

George Kincade,

Kullituklo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 2, in which you ask for a ticket of admission to the Choctaw Land Office.

In reply to your letter you are informed that if you will state when, where and under what name you made application to this Commission for enrollment as a citizen of the Choctaw Nation, the names of your parents and the other members of your family who appeared at the same time and any other information you may possess which would enable the Commission to identify you upon its records the matter of your inquiry will receive further consideration.

The classification of the land described by you has been made the subject of another communication.

Respectfully,

Commissioner in Charge.

7-8697

Muskogee, Indian Territory, September 10, 1904.

Commissioner in Charge,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:-

Referring to original Choctaw enrollment card number 8697 Robert Kincade et al and to the duplicate thereof in your possession, you are advised that the following notation thereon, "No. 6 died Sept. 1896, proof of death filed Dec. 23, 1902" has this day been corrected to read "No. 7" instead of "No. 6", and you are therefore requested to make like correction upon the duplicate of corresponding number.

Respectfully,

Chairman.

7-2697

Muskogee, Indian Territory, September 10, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 1st inst., calling attention to the following notation appearing upon original Choctaw enrollment card number 2697, "No. 6 died Sept. 1898, proof of death filed Dec. 23, 1902" and you request to be advised if said notation should not read "No. 7" instead of "No. 6."

You are informed that said notation has this day been changed to read "No. 7". You are therefore requested to make like correction upon the duplicate enrollment card of corresponding number in your possession.

Respectfully,

Chairman.

7-2645
7-2697

Muskogee, Indian Territory, September 24, 1904.

A. R. Davis,

Attorney at Law.

Chant, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 19th instant, requesting to be advised whether or not Mary and Rena Josephine Kincade, twin children of Robert and Addie Kincade are entitled to an allotment of land in the Choctaw or Chickasaw Nation. You also request to be advised relative to the status of the application for enrollment of Amatha Trahern.

You are advised it appears from our records that Rena Josephine Kincade died November 25, 1901, and that Mary Kincade died August 16, 1902.

The act of Congress approved July 1, 1902 which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902 among other things provides that no allotment of land or other tribal property shall be made to a citizen of the Choctaw or Chickasaw Nation whose death occurred prior to the date of said ratification.

You are further informed that the Commission has not yet passed upon the application for enrollment of Amatha Trahern, now Amatha Brown as an intermarried citizen of the Choctaw Nation.

A. R. D. #2

When a decision has been rendered in her case, due notice of the action taken therein will be forwarded to her post-office address as given in her testimony December 5, 1903, unless otherwise directed.

Respectfully,

Chairman.

4008.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
7-2697

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 6, 1905.

Mrs. Addie Kincade,

Indianola, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 29, 1904, requesting to be advised as to the estate of your deceased children Rena Josephine Kincade, who died November 25, 1901, and Mary Kincade who died August 17, 1902,

In reply to your letter you are informed that under the provisions of the act of Congress approved July 1, 1902, no person who died prior to September 25, 1902, the date of the ratification of said act is entitled to allotment of the lands of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-2697

Muskogee, Indian Territory, January 6, 1905.

Mrs. Addie Kincade,

Indianola, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 29, 1904, requesting to be advised as to the estate of your deceased children Rena Josephine Kincade, who died November 25, 1901, and Mary Kincade who died August 17, 1902.

In reply to your letter you are informed that under the provisions of the act of Congress approved July 1, 1902, no person who died prior to September 25, 1902, the date of the ratification of said act is entitled to allotment of the lands of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

(COPY)

W.C.F.
FHE.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

D.C. 3029-1905.
I.T.D. 278-1905.

January 13, 1905.

LRS.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

In accordance with the recommendation contained in your letter of December 19, 1904, departmental action of July 8, 1904, authorizing the cancellation of the name of Loren Trahern, No. 7872 on the approved roll of citizens by blood of the Choctaw Nation, is hereby rescinded, and you are authorized to reinstate the name of said person upon the said roll at No. 7872. The Department has reinstated said name upon its part of said roll, and has requested the Indian Office to do the same.

A copy of Indian Office letter of January 9, 1905, is inclosed herewith.

Respectfully,

Thos. Ryan
Acting Secretary.

1 inclosure.

1

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, Jan. 9, 1905.

Land.
89240-1904.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of July 8, 1904, I. T. D. 5336, there is enclosed a report from the Commission to the Five Civilized Tribes, in which it is stated that the Commission erred in reporting that Loren Trahern, No. 7872, approved Choctaw rolls, died in September, 1898. The Commission says that the affidavits of death mentioned in their letter referred to a person other than Loren Trahern, and recommends that the action of July 8th last be rescinded and that the name of the citizen be reinstated upon the roll of citizens by blood of the Choctaw Nation at No. 7872. In view of the Commission's statements, their recommendation is concurred in.

Very respectfully,

Sgd C. F. Larrabee
Acting Commissioner.

GAW-H

A 7872

Muskogee, Indian Territory, January 24, 1905.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

There is inclosed herewith, for the information of your office, copy of Departmental letter of January 13, 1905 (I.T.D. 278-1905) rescinding Departmental action of July 8, 1904, authorizing the cancellation of the name of Loren Trahern, Number 7872, from the approved roll of citizens by blood of the Choctaw Nation, and reinstating his name upon said roll at Number 7872.

You are therefore authorized to reinstate the name of Loren Trahern upon the approved schedules of citizens by blood of the Choctaw Nation in the possession of your office, and upon the Commission's letters transmitting said schedules to the Department.

Respectfully,

Chairman.

AB 8-24

A 7872

Muskogee, Indian Territory, January 24, 1905.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory,

Dear Sir:

There is inclosed herewith, for the information of your office, copy of Departmental letter of January 13, 1905 (I.T.D. 278-1905) rescinding Departmental action of July 8, 1904, authorizing the cancellation of the name of Loren Trahern, Number 7872, from the approved roll of citizens by blood of the Choctaw Nation, and reinstating his name upon said roll at Number 7872.

You are therefore authorized to reinstate the name of Loren Trahern upon the approved schedules of citizens by blood of the Choctaw Nation in the possession of your office, and upon the Commission's letters transmitting said schedules to the Department.

Respectfully,

Chairman.

AB 9-24

Choctaw 2697

Muskogee, Indian Territory, January 24, 1905.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

Referring to Choctaw roll card Number 2697, Robert Kincade, et al. and to Number 7 thereon, you are advised that the red ink line which was drawn through the name of Loren Trahern has been erased, as has also the stamp, "Died prior to September 25, 1902" and the following notation in red ink has been placed upon said card:

> "Notation as to death of No. 7 is in error. Correction made under Departmental authority of January 13,1905 (I.T.D. 278-1905) D. C. #3029-1905."

You are therefore authorized to make like changes and place said notation upon Choctaw duplicate card Number 2697 in the possession of your office.

Respectfully,

Chairman.

Choctaw 2697

Muskogee, Indian Territory, January 24, 1905.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

Referring to Choctaw roll card Number 2697, Robert Kincade, et al. and to Number 7 thereon, you are advised that the red ink line which was drawn through the name of Loren Trahern has been erased, as has also the stamp,"Died prior to September 25, 1902" and the following notation in red ink has been placed upon said card:

> "Notation as to death of No. 7 is in error. Correction made under Departmental authority of January 13,1905 (I.T.D. 278-1905). D. C. #3029-1905."

You are therefore authorized to make like changes and place said notation upon Choctaw duplicate card Number 2697 in the possession of your office.

Respectfully,

Chairman.

7- 2 : 77

Muskogee, Indian Territory, July5, 1905.

Malcolm E. Rosser,

Poteau, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 24, 1905, inclosing an application for the enrollment of Ida Walker, daughter of Robert Kincade, as a citizen by blood of the Choctaw Nation and stating that you will forward additional proof in a short time.

In reply to your letter you are advised that the application inclosed with your letter is herewith returned, and if no application has heretofore been made to the Commission to the Five Civilized Tribes for her enrollment this office is now without authority to receive or consider the same. It is stated in the application that Ida May Walker is about sixteen years of age and married and that she is the daughter of Robert Kincade, but her mother's name is not given.

It appears from the records of this office that Ida Tecumseh, niece of Robert Kincade and Selina Kincade, both deceased, and now the wife of Houston Tecumseh, has been enrolled as a citizen by blood of the Choctaw Nation and her enrollment as such has been approved by the Secretary of the Interior. If

this is not the person referred to, and Ida May Walker has heretofore made application for enrollment as a citizen by blood of the Choctaw Nation, if you will give the names of her mother, her brothers and sisters, if any, and her husband, stating when and where such application was made, the matter will receive further consideration.

Respectfully,

AB 1-1.

Commissioner.

7-2697

Muskogee, Indian Territory, August 11, 1905

Redmon & Morris,

Attorneys at Law.

Tishomingo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of August 1905, asking what proof will be necessary in the matter of the enrollment of James Kincade to show that he died subsequent to September 25, 1902, and is entitled to an allotment.

In reply to your letter you are advised that evidence has already been forwarded showing the death of James Kincade prior to September 25, 1902, and an investigation will be made by this office to ascertain the correct date of the death of James Kincade before the selection of an allotment can be permitted.

Respectfully,

Acting Commissioner

7-2697

Muskogee, Indian Territory, August 29, 1906.

C. T. Mitchell,

Attorney at Law,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 23, 1906, in which you state that Ida May Walker in whose behalf you filed petition June 25, 1906, is the child of Robert Kincade and Mollie Kincade now Mollie Livingston; that Mollie Livingston also has an application for enrollment as an intermarried citizen of the Choctaw Nation by reason of her marriage to Robert Kincade pending before this office; this child being a minor and petition having been filed by you on June 25, 1906, for her enrollment, you contend that this claim comes within the meaning of the provisions of the Act of Congress approved April 26, 1906.

If you contend that the petition filed by you is an application for the enrollment of Ida May Walker, formerly Kincade, within the meaning of the provision of the act of Congress approved April 26, 1906 you are advised that it will be necessary for Ida May Walker to appear at this office accompanied by persons who have knowledge of her parentage for the purpose of testifying relative to her right to enrollment.

Respectfully,

Acting Commissioner.

W5563-1909
Choctaw 2697
Choctaw 6047

Muskogee, Oklahoma, July 2, 1909.

Mr. Guy A. Curry,

Quinton, Oklahoma,

Sir:

Receipt is hereby acknowledged of your letter of June 25, in which you ask to be advised what the records of this office show as to any and all husbands of Mollie Livingston, roll number 1633, their names and places of marriage; what, if any, children were born, their names, ages, and under whose testimony they were enrolled.

You state that you are trying more particularly to discover whether Mollie Livingston was at any time the wife of one Robert Kincade, a Choctaw by blood, and if so, what children, if any, were born to them. You represent Emer[illegible] Kincade who is well known and until recently supposed to be the only living child of Robert Kincade; but you are now informed that a child of Mollie Livingston claims to be the child of Robert Kincade.

In reply you are advised that it appears from the records of this office that in May 1877 one Mollie Sheppard, daughter of Jim and Lithie Sheppard, was married to Robert Kincade by Simeon Peters, a Choctaw minister, at his home near Wister, Indian Territory.

Subsequently Robert Kincade abandoned Mollie Kincade but is alleged to have had one child by her, named Ida [illegible], now Walker, but the date of her birth is not given, and it does

not appear that any application was made for her enrollment as a citizen of the Choctaw Nation within the time provided by law.

However there was forwarded by C. T. Mitchell, an attorney of McCurtain, Oklahoma, and received at this office on June 25, 1906, a petition for the enrollment of Ida May Walker, formerly Ida May Kincade, who alleges that her father is an enrolled citizen by blood of the Choctaw Nation. The names of her parents do not appear in the petition, but in a subsequent letter Mr. Mitchell gives them as Robert Kincade, an enrolled Choctaw by blood and Mollie Livingston, an applicant for enrollment as an intermarried citizen of the Choctaw Nation.

No personal appearance was made by or on behalf of this applicant to sustain the contention in the petition submitted, that application for her enrollment had been made prior to December 1, 1905, as provided by the Act of Congress approved April 26, 1906, and no action was taken by this office looking to her enrollment.

It further appears from the testimony in this case that subsequent to her abandonment by Robert Kincade, Mollie Kincade was married, some time about the year 1892, under a United States license, in the town of Muskogee, Indian Territory, to a white man named William Livingston.

Mollie Livingston states in her testimony in the matter of her enrollment as an intermarried citizen of the Choctaw Nation, that she was never married prior to her marriage to Robert Kincade and that subsequent to her marriage to him shemarried the said

G A C 3

William Livingston with whom she was still living at the date of her last testimony January 14, 1907.

It appears from the records of this office that Robert Kincade, his wife, Addie Kincade, formerly Trahern, and their children, George and Emerine P. Kincade, were enrolled as citizens by blood of the Choctaw Nation. Applications were also made for the enrollment of their children, Rena Josephine and Mary Kincade, but these children died prior to September 25, 1902, the date of the ratification by the Choctaws and Chickasaws of the Act of Congress approved July 1, 1902, commonly known as the Choctaw and Chickasaw agreement.

Respectfully,

Commissioner.

AB

2698 Loman Thomas Choc

2698

MARIAGE CERTIFICATE.

This is to certify that on the 12th day of July, 1903, I solemnized the rites of matrimony between Mr. Swinney Thomas, a citizen of the Choctaw Nation, and Myrtle Caldwell, a white woman, according to the customs, usages and laws of the Choctaw Nation.

Given under my hand this 12th day of July, 1903.

Turner McGilberry.
County and Probate Judge, Sans Bois County, Choctaw Nation.

Choctaw 2698

Muskogee, Indian Territory, September 1, 1904.

Swiney Thomas,

McCurtain, Indian Territory.

Dear Sir :-

Receipt is hereby acknowledged of your letter of August 30, 1904, stating that you are a full-blood Indian, that you married a white woman in July, 1903, and asking whether she can be enrolled at any time in the future.

You are informed that under the provisions of the Act of Congress approved July 1, 1902, ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902, no persons are entitled to enrollment as citizens of the Choctaw and Chickasaw Nations except those who were living and entitled to such enrollment on the date of said final ratification.

Respectfully,

Chairman.

7-1981
7-2698

Muskogee, Indian Territory, June 15, 1906.

Sim Wallen,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 7, 1906, stating that your wife Siney Wallen was Siney Thomas, daughter of Loman Thomas and her roll number is 7883.

You are advised that this information has enabled this office to identify your wife Siney Wallen as an enrolled citizen by blood of the Choctaw Nation and has been made part of the record in the matter of the enrollment of your child Rose Anna Wallen. Receipt is also acknowledged of the marriage certificate between Watson Wallen and Sallie Smith and the same has been filed in the matter of the enrollment of their children James and Allen Wallen.

Respectfully,

Commissioner.

2699 Margaret Adams Choc

2699

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

E. K. Adams

as a citizen of

Choctaw Nation.

Approved, DEC -6 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 6 1901

ACTING CHAIRMAN

CHOCTAW. 2699

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of C H adams (Here insert name of child), born on the 3 day of June, 1900
Name of Father: J N Adams, a citizen of the Choctaw Nation.
Name of Mother: Margarett Adams, a citizen of the Choctaw Nation.
Post-office, Sans Bois I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Central District. }

I, Margarett Adams, on oath state that I am 20 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of J N Adams, who is a citizen, by Marriage, of the Choctaw Nation, that a Male (male or female) child was born to me on the 3 day of June 1900 that said child has been named C H Adams, and is now living.

Margaret Adams

WITNESSES TO MARK: (Must be Two Witnesses)
N L Cromwell
J. R. Stiles

Subscribed and sworn to before me this 27 *day of* May 1901.
W J Long
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Central District. }

I, S J Gammel, a Midwife, on oath state that I attended on Mrs. Margarett Adams, wife of J N Adams, on the 3 day of June, 1900 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named C H Adams

her
S J Gammel
mark

WITNESSES TO MARK: (Must be Two Witnesses)
N L Cromwell
J. R. Stiles

Subscribed and sworn to before me this 27 *day of* May 1901.
W J Long
NOTARY PUBLIC

Muskogee, Indian Territory, December 6, 1901.

J. A. Adams,

Sansbois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, enclosing marriage license and certificate between Jason A. Adams and Miss Margaret Trahern, and the application for enrollment as a citizen of the Choctaw Nation of C. H. Adams, the infant son of J. A. and Margaret Adams, born June 3, 1900.

The evidence of marriage enclosed in your letter is returned to you herewith for the reason that it appears that your wife is listed for enrollment under her married name of Margaret Adams.

The application for the enrollment of C. H. Adams being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-2699

Enc Y-22

Choctaw 2699.

Muskogee, Indian Territory, March 16,1903.

Margaret Adams,

McCurtain, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your affidavit of March 9, 1903, designating the numbers of certain land which you desire to select in allotment, and the same is returned to you herewith for the reason that the Commission has, at this time, no means of recording the selections of citizens of the Choctaw and Chickasaw Nations. Matters of this character will receive its consideration upon the establishment of land offices, which will be April 15, 1903, at which time the citizens of these two tribes may appear at the land office for the nation in which their land is located and make formal application for their allotments.

Respectfully,

Chairman.

AB 2-16

2700 Sarah E. James Choc

2700

50

THIS CERTIFIES
THAT

Lorn Cobb of Stady-point Caesar-Nation

AND

[illegible] of [illegible] Caesar-Nation

WERE UNITED IN

Holy Matrimony

At [illegible]

According to the Ordinance of God and the Laws of the [illegible] of [illegible]

on the [illegible] day of [illegible] in the year of

OUR LORD One Thousand [illegible] Hundred and [illegible]

[illegible]

Witnesses

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TR
FILED
1902

2-2700
CHOCTAW. 20 INDIAN

IN RE

Application for Enrollment of

INFANT CHILD

Armas Cobb

as a citizen of the

Choctaw *Nation.*

Approved DEC 21 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 21 1902

ACTING CHAIRMAN.

CHOCTAW.
2-700

Armas Cobb and [illegible]

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Armas Cobb (Here insert name of child), born on the 11th day of Sept, 1902
Name of Father: Jane Cobb, a citizen of the Choctaw Nation.
Name of Mother: Sarah Cobb, a citizen of the Choctaw Nation.
Post-Office: Shadypoint I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Sarah Cobb, on oath state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Jane Cobb, who is a citizen, by blood, of the Choctaw Nation, that a male (Male or female) child was born to me on the 11th day of Sept, 1902; that said child has been named Armas Cobb, and is now living.

Sarah her X mark Cobb

WITNESSES TO MARK
(Must be Two Witnesses) { Martin Switzer
Frank Lewis

Subscribed and sworn to before me this 20th *day of* September *1902.*

E. I. Goode
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Emeline Terrell, a midwife, on oath state that I attended on Mrs. Sarah Cobb, wife of Jane Cobb, on the 11th day of September, 1902; that there was born to her on said date a male (Male or female) child; that said child is now living and is said to have been named Armas Cobb.

Emeline her X mark Terrell

WITNESSES TO MARK
(Must be Two Witnesses) { Martin Switzer
Frank Lewis

Subscribed and sworn to before me this 20th *day of* September *1902.*

E. I. Goode
Notary Public.

7-2700

CHOCTAW 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Thomas Cobb

as a citizen of the

Choctaw *Nation.*

Approved DEC 21 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 2 - 1902

ACTING CHAIRMAN.

CHOCTAW

7-2700

BIRTH AFFIDAVIT. Annie Cobb and Thomas Cobb on Twins

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Thomas Cobb (Here insert name of child), born on the 11th day of Sept, 1902
Name of Father: Jarvis Cobb, a citizen of the Choctaw Nation.
Name of Mother: Sarah Cobb, a citizen of the Choctaw Nation.
Post-Office: Bradyport Ark.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Sarah Cobb, on oath state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Jarvis Cobb, who is a citizen, by blood, of the Choctaw Nation, that a male (Male or female) child was born to me on the 11th day of September, 1902; that said child has been named Thomas Cobb, and is now living.

Sarah her Cobb
mark

WITNESSES TO MARK:
(Must be Two Witnesses) Martin Switzer
Grant Lewis

Subscribed and sworn to before me this 20th day of December, 1902.

E. C. Goode
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Emiline Terrell, a midwife, on oath state that I attended on Mrs. Sarah Cobb, wife of Jarvis Cobb, on the 11th day of September, 1902; that there was born to her on said date a male (Male or female) child; that said child is now living and is said to have been named Thomas Cobb.

Emiline her Terrell
mark

WITNESSES TO MARK:
(Must be Two Witnesses) Martin Switzer
Grant Lewis

Subscribed and sworn to before me this 20th day of December, 1902.

E. C. Goode
Notary Public.

7-2700

CHICKASAW 20 INFANT CHILD

IN RE

Application for Enrollment of

INFANT CHILD

Thomas Cobb

as a citizen of the

Choctaw Nation.

Approved DEC 21 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 2 - 1902

ACTING CHAIRMAN.

CHICKASAW

7-2700

7-2694
7-2700

Muskogee, Indian Territory, December 26, 1902.

Loren Cobb,

Shadypoint, Indian Territory.

Dear Sir;

Receipt is hereby acknowledged of the applications for enrollment as citizens of the Choctaw Nation of Armas Cobb and Thomas Cobb, twin sons of Loren and Sarah Cobb, born September 11, 1902; and the same being in proper form have been duly filed with the records of the Commission, and the children listed for enrollment as citizens of the Choctaw Nation.

Receipt is also acknowledged of the marriage certificate between Lorn Cobb and Sarah James, April 20, 1901; and the same has been duly filed with the records of the Commission in the matter of the applications for enrollment of the above named children.

Respectfully,

Acting Chairman.

2701 Simeon Talipoose Choc

1028

Empty

2702 Rena German Choc

2702

Empty

2703 James T. merryman Choc

2703

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Chootaw Nation of

RUTH MERRYMAN, 7-2703.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER I.T. Dec.23, 1902.

7-2703

In the matter of the application of Ruth Merryman for enrollment as an inter married citizen of the Choctaw Nation.

Ruth Merryman being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Ruth Merryman.
Q What is your age? A Twenty one.
Q What is your post office address? A Formerly Ward;Taylor now.
Q How long have you lived in the Choctaw Nation? A About 17 years.
Q Continuously? A Yessir.
Q You are an applicant for inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband ? A James F. Merryman.
Q He is living is he? A Yes sir.
Q When and where were you married to him? A At Boktuklo at my father's house July 28,1898.
Q Were you married according to the Choctaw laws? A Yes sir.
Q Who married you? A Brother Alexander.
Q How much did you pay for the license? A I don't know.
Q Have you and your Choctaw husband lived together since the date of this marriage continuously? A Yes sir.
Q There has been no separation or divorce? A No sir.
Q You are both now residents of the Choctaw Nation Indian Territory? A Yes sir.
Q You are living together now as husband and wife and bona fide residents of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case on December 23, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 8 day of January, 1903.

Charles H Dawson

Notary Public.

Oak Lodge. Ind. Ter.,

Choctaw Nation

County of Skullyville

To all and singlar to whom these presents shall come greeting

Known ye that whereas J.F. Merryman a citizen of the Choctaw Nation has this day made formal application to me as required by law for a license to comtract consumate marriage with one Ruth Howell a Citizen of the United States a resident of Skullyville County Choctaw Nation.

Therefore by virture of the authority in me vested by the constitution and laws of the Choctaw Nation I do this day and by these presents grant unto said J.F. Merryman a license to contract and consummate marriage as aforesaid with Ruth Howell.

Given under my hand and seal of Office this the 27th day of July A.D. 1898.

E. W. Culberson
County Clerk
Skullyville County

I C. L. Alexander a Minister of the Gospel. do hereby certify that on the 28 day of July A.D. 1898, did duly and according to Law, as commanded in the forgoing license, Solemnize the rites and publish the bans of matrimony between the parties therein named, witness my hand this 28 day of July A.D. 1898. My credentials are recorded in the U.S. Court, Central District Book A, Page 157.

C. L. Alexander
a Minister of the Gospel.

I do hereby Certify that I have this day duly recorded the within Marriage License in the Skullyville County record Book No. 2 on page 19.

In witness whereof I hereunto set my hand and seal of Office This the 3rd day of Sept. A.D. 1898.

E. W. Culberson
County Clerk
Skullyville County

7-2703.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---------O---------

In the matter of the application for the enrollment of Ruth Merryman as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that Ruth Merryman (nee Howell), on July 28, 1898, was lawfully married to James F. Merryman, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7895 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Ruth Merryman should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, Indian Territory,

JUL 30 1903

Choctaw 2703

COPY.

Muskogee, Indian Territory, July 30, 1903.

Ruth Merryman,

Saylor, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.

Commissioner in Charge.

Registered.

Enc MYC 15/30

Choctaw 2703

COPY.

Muskogee, Indian Territory, July 30, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting the application of Ruth Merryman for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.
Commissioner in Charge.

Registered.

Enc MYG 16/30

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Lillian Joanna Merryman

as a citizen of

Choctaw Nation.

Approved, OCT 15 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 15 1901

ACTING CHAIRMAN

CHOCTAW.
2703.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Lillian Joanna Merryman (Here insert name of child) born on the 29th day of August September 1901

Name of Father: James Francis Merryman, a citizen of the Choctaw Nation.

Name of Mother: Ruth Merryman, a citizen of the Choctaw Nation.

by intermarriage Post-office, Bokoshe Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Ruth Merryman, on oath state that I am 20 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of James Francis Merryman, who is a citizen, by blood, of the Choctaw Nation, that a Girl (male or female) child was born to me on the 29th day of August September 1901, that said child has been named Lillian Joanna Merryman, and is now living.

Ruth Merryman.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 5th *day of* October *1901.*

B. B. Woodward, NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Dr. G. W. St-Clair, a Physician, on oath state that I attended on Mrs. Ruth Merryman, wife of James F. Merryman, on the 29th day of August 1901; that there was born to her on said date a Girl (male or female) child; that said child is now living and is said to have been named Lillian Joanna Merryman

Dr G. W. St Clair

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 5th *day of* October *1901.*

B. B. Woodward, NOTARY PUBLIC.

My Commission will expire Feb 1, 1902

IN RE

Application for Enrollment of

INFANT CHILD.

Earl L. Merryman

As a citizen of the

Chickasaw Nation.

Approved Nov 16th 1899

A S McKennon

Commissioner.

2703

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Earl Quincy Merryman born on the 11th day of October, 1899.
Name of father: James Francis Merryman, a citizen of the Choctaw Nation.
Name of mother: Ruth Merryman, a citizen of the Choctaw Nation.
by intermarriage. Post Office: Bokoshe I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ruth Merryman, on oath, state that I am 18 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of James Francis Merryman who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 11th day of October, 1899; that said child has been named Earl Quincy Merryman and is now living.

Ruth Merryman.

Subscribed and sworn to before me this 14th day of November, 1899.

B. B. Woodward
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, A. L. Bruster, a Physician, on oath, state that I attended on Mrs. Ruth Merryman, wife of James Francis Merryman on the 11th day of October, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named Earl Quincy Merryman

A. L. Bruster M. D

Subscribed and sworn to before me this 14th day of November, 1899.

B. B. Woodward,
Notary Public.

Muskogee, Indian Territory, October 15, 1901.

James Francis Merryman,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lillian Joanna Merryman, the infant daughter of James Francis and Ruth Merryman, born August 29th, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2703

Choctaw 2703

Muskogee, Indian Territory, November 15, 1902.

J. F. Merryman,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, addressed to the Secretary of the Interior and which has been by him referred to this Commission for consideration and appropriate action.

Therein you desire to be furnished with a copy of the supplemental treaty between the United States and the Choctaws and Chickasaws and desire to be advised when the lands of the Choctaw and Chickasaw nations will be allotted.

In reply to your letter there is enclosed you herewith a copy of the Choctaw-Chickasaw agreement, ratified September 25, 1902, by the citizens of the Choctaw and Chickasaw Nations .

It is the present intention of the Commission to establish a land office at Atoka, Choctaw Nation, and also at Tishomingo, Chickasaw Nation, for the purpose of allowing the citizens of the Choctaw and Chickasaw Nations to make selection of and file upon their prospective allotments, on February 1, 1903.

Respectfully,

For Chas. Chickasaw. Acting Chairman.

7-2703

Muskogee, Indian Territory, February 3, 1903.

James F. Merryman,

Saylor, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 21, in which you ask if the land offices will be opened at Atoka on the 1st of February.

In reply to your letter you are informed that no date has been definitely determined for the establishment of the land offices in the Choctaw and Chickasaw Nations but it is probable that the same will be opened sometime between the 1st of March and the 1st of April.

Respectfully,

Acting Chairman.

7-2703

Muskogee, Indian Territory, October 8, 1903.

James Francis Merryman,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 30, 1903, requesting to be advised whether the enrollment of your wife, Ruth Alice Merryman, an intermarried citizen of the Choctaw Nation, has been approved by the Secretary of the Interior.

You are informed it appears from our records that Ruth Merryman, wife of James F. Merryman, has been duly enrolled as a citizen by intermarriage of the Choctaw Nation and her enrollment as such approved by the Secretary of the Interior September 12, 1903.

Respectfully,

Chairman.

7-8703

Muskogee, Indian Territory, October 22, 1904.

James F. Merryman,

Bokoshe, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of the affidavits of Ruth Merryman and D. P. Barbour relative to the birth of your infant daughter John Frances Merryman April 4, 1903, which it is presumed have been forwarded to this office as an application for enrollment of said child as a citizen by blood of the Choctaw Nation.

The Act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902, among other things provides that no child born to a citizen of the Choctaw or Chickasaw Nation subsequent to the date of said ratification shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws.

Respectfully,

Chairman.

2704 Simon Dwight Choc

2704

CHOCTAW.

INDEXED

22

IN RE
THE DEATH OF

Simon Dwight.

a citizen of the
CHOCTAW.

Nation.

Approved DEC 24 1902 *1*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 24 1902

ACTING CHAIRMAN.

CHOCTAW.

2704

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Simon Dwight (Here insert name of deceased.) a citizen of the Choctaw Nation, who formerly resided at or near Stigler (Here insert name of post office.), Ind. Ter., and died on the 15 day of Oct, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Wallin James, on oath state that I am 36 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Stigler (Here insert name of post office.), Ind. Ter.; that I am uncle (State relationship, as: the father; an uncle; a cousin, etc.) of Simon Dwight (Here insert name of deceased.), who was a citizen, by Blood, of the Choctaw Nation; and that said Simon Dwight (Here insert name of deceased.) died on the 15 day of Oct, 1901.

his
Wallin + James
mark

WITNESSES TO MARK.

(Must be Two Witnesses.) All Holmes
next Sickman

Subscribed and sworn to before me this 18 *day of* Dec 1902

David N Brown
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Joe Folsom, on oath state that I am 42 years of age, and a citizen, by Blood, of the Choctaw Nation; that my post office address is Stigler (Here insert name of post office.) Ind. Ter.; that I was personally acquainted with Simon Dwight (Here insert name of deceased.) who was a citizen, by Blood, of the Choctaw Nation; and that said Simon Dwight (Here insert name of deceased.) died on the 15 day of Oct, 1901

Joe Folsom

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 18 *day of* Dec 1902

David N Brown
Notary Public.

7-2704

Muskogee, Indian Territory, February 7, 1902.

Austin Chubbee,

Milton, Indian Territory.

Dear Sir:

The Commission has received information that Simon Dwight has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record there is enclosed you herewith a blank for proof of death which you are kindly requested to have some relative of Simon Dwight, properly execute and return in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are

acknowledged must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Env.
D. C.

Commissioner in Charge.

7-2704.

Muskogee, Indian Territory, October 28, 1902.

James L. Lewis,

Milton, Indian Territory.

Dear Sir:

The Commission has received information that Simon Dwight of Milton has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record there is enclosed you herewith a blank for proof of death which you are kindly requested to have some relative of Simon Dwight properly execute and return in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in the event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Env.
D. C.

7-2704.

Muskogee, Indian Territory, December 29, 1903.

[redacted]

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Joe Folsom relative to the death of your nephew, Simon Dwight, a citizen by blood of the Choctaw Nation, which occurred October 15, 1901; and the same being in proper form have been duly filed with the records of the Commission, as evidence of death of the above named person.

Respectfully,

Acting Chairman.

2705 Eastman Perry Choc

2705

Empty

2706 Joshua Lucas Choc

2706

Empty

2707 Sally Lucas Chc

2707

7-2706 2707 V

INDEXED

38

IN RE
THE DEATH OF

Sally Lucas

a citizen of the

Choctaw Nation.

Approved DEC 23 1902 790

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 23 1902

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Sally Lucas
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Iron Bridge, Ind. Ter., and died on the ____ day of
(Here insert name of postoffice.)
August, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Joshua Lucas, on oath state that I am 51
years of age and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Iron Bridge, Ind. Ter.; that I am
(Here insert name of post office.)
Grandson of Sally Lucas,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation;
and that said Sally Lucas died on the ____ day of
(Here insert name of deceased.)
August, 1900

Joshua Lucas

WITNESSED TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 15 *day of* Dec. 1902

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Frank Robinson, on oath state that I am 30
years of age, and a citizen, by Blood, of the Choctaw Nation;
that my post office address is McCurtain, Ind. Ter.;
(Here insert name of postoffice.)
that I was personally acquainted with Sally Lucas
(Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation;
and that said Sally Lucas died on the ____ day of
(Here insert name of deceased.)
Aug. 1900

Frank Robinson

WITNESSED TO MARK:

(Must be Two Witnesses) _____

_____

Subscribed and sworn to before me this 15 *day of* Dec. 1902

P. C. Bolger
Notary Public.

2708 Olivia Pryor Choc

#9-10-11 Dismissed Jan 19, 1906

See Pet #C-130 Duplicate record bound

2708

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the applications for enrollment as citizens by blood of the Choctaw Nation of -

Sallie O. Pryor, Vernon Pryor and Earl Pryor.

7-2708.

IN RE

Application for Enrollment of

INFANT CHILD.

Sallie O. Pryor

As a citizen of the

Choctaw Nation.

Approved ..... 1 .....

Commissioner.

Card No 2708

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Sallie O. Pryor, born on the 21st day of April, 1898.

Name of father: Samuel V. Pryor, a citizen of the U. S. Nation.

Name of mother: Olivia Pryor, a citizen of the Choctaw Nation.

Post Office: Stuart I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Olivia Pryor, on oath, state that I am 36 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Samuel V. Pryor who is a citizen, ~~by~~, of the U. S. Nation; that a female child was born to me on the 21st day of April, 1898; that said child has been named Sallie O. Pryor, and is now living.

Olivia Pryor

Subscribed and sworn to before me this 14th day of June, 1899.

A. S. McClennan

~~Notary Public.~~ Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, , a , on oath, state that I attended on Mrs. , wife of on the day of , 1 ; that there was born to her on said date a child; that said child is now living and is said to have been named .

Subscribed and sworn to before me this day of , 1 .

Notary Public.

Choctaw 2708

COPY.

Muskogee, Indian Territory, January 19, 1905.

Olivia Pryor,

Stuart, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of this Commission, dated January 19, 1905, dismissing the application for the enrollment of your children, Sallie O. Pryor, Vernon Pryor and Earl Pryor as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-2708.

Choctaw 2708.

COPY.

Muskogee, Indian Territory, January 19, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated January 19, 1905, dismissing the application for the enrollment of Sallie O. Pryor, Vernon Pryor and Earl Pryor as citizens by blood, of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

CHAIRMAN.

Incl. T-2708.

DEPARTMENT OF THE INTERIOR, W.C.F.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

C- 130
7-D- 2
7- 13
7- 14
7-D-293
7-D-299
7- 2708
7- 2709
7- 3277
7- 3279
7-3280
7- 3294
7- 3295
7- 3296
7- 3297
7- 3298
7- 5234
23- 953
23- 970
23- 991
23- 992

In the matter of the application for the enrollment of THOMAS P. LEWIS, et al, as citizens by blood and intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, August 7, 1899, by Thomas P. Lewis for the enrollment of Himself, his children, Lawrence Lewis, Laura Lewis, Antha L. Lewis, and Oscar Lewis as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Augusta M. Lewis, as a citizen by intermarriage of the Choctaw Nation; the census card record shows that on the same date application was made by Zora P. Lewis for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made by Edward M. Lewis for the enrollment of himself and children, Gail B. Lewis, Edward H. Lewis and Zora A. Guyer as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Sarah E. Lewis, as a citizen by intermarriage of the Choctaw Nation; that on July 16, 1900, written application was filed for the enrollment of Lindly Blaine Guyer and on June 7, 1901, application was filed for the enrollment of Edith May Guyer; on September 24, 1902, application was filed for the enrollment of Fielding Lewis Guyer, minor child of William H. Guyer and Zora A. Guyer, as citizens by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Edward M. Lewis for the enrollment of Sarah J. McKibben and her children, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben and Grant McKibben as citizens by blood of the Choctaw Nation; that on the same date application was made by Lydia Clark to the Commission to the Five Civilized Tribes for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Virgil Cowart for the enrollment of himself as a citizen by blood of the Choctaw Nation and for the enrollment of his wife, Anna Cowart, as a citizen

by intermarriage of the Choctaw Nation; that on September 2, 1898, application was made by Marshall Cowart for the enrollment of himself and his brothers, Samuel P. Cowart and George V. Cowart, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, during the month of August, 1899, by Lucy Adams for the enrollment of herself and her minor children, Mabel Adams and Earnest P. Adams, as citizens by blood of the Choctaw Nation; that on February 24, 1902, written application was filed for the enrollment of Ida Vadis Adams, minor child of said Lucy Adams and A. M. Adams as a citizen by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Zora S. Early for the enrollment of herself and her daughter, Nellie Early, as citizens by blood of the Choctaw Nation; that on June 14, 1901, written application was filed for the enrollment of Albert Clarence Goodwin, minor child of Nellie Goodwin, nee Early, and John Goodwin as a citizen by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes by Joseph H. Leard for the enrollment of himself, Madison Leard, Jack Leard, Maud Early and Hugh Early as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Belle Leard, as a citizen by intermarriage of the Choctaw Nation; that on February 28, 1901, written application was filed for the enrollment of Frank David Leard, minor child of Madison Leard and Eliza Leard as a citizen by blood of the Choctaw Nation; that on August 29, 1901, written application was filed for the enrollment of Elihu Venable, minor child of John Venable and Maud Venable as a citizen by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by Olivia Pryor for the enrollment of herself and her minor children, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor and Sallie O. Pryor as citizens by blood of the Choctaw Nation; that on August 18, 1900, written applications were filed for the enrollment of Vernon Pryor and Earl Pryor, minor children of said Olivia Pryor and S. V. Pryor as citizens by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, by Angeline Tabor for the enrollment of herself and her minor children, Willie Tabor, Ben Tabor and Herschel L. Tabor as citizens by blood of the Choctaw Nation; that on March 1, 1901, written application was filed for the enrollment of Ruthe Adams, minor child of Angeline Tabor, (now Adams) and J. J. Adams, and on August 7, 1902, written application was filed for the enrollment of Leona Tabor, minor child of Angeline Tabor and Sherman Tabor as citizens by blood of the Choctaw Nation; that on September 29, 1898, application was made to the Commission to the Five Civilized Tribes at Tishomingo, Indian Territory, by Julius M. Leard for the enrollment of himself and his minor children, Frank Leard, Sudie Leard and Nannie Leard as citizens by blood of the Choctaw Nation; that on August 6, 1900, written application was filed for the enrollment of Barney Edward Leard and on November 1, 1901, written application was filed for the enrollment of David Leard, minor children of Sudie Leard and Julius M. Leard as citizens by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by Ophelia S. Edwards for the enrollment of herself and children, Charles Edwards, Lula J. Edwards, Martha J. Edwards, David L. Edwards and Luther W.

Edwards as citizens by blood of the Choctaw Nation; that on August 5, 1899, application was made to the Commission to the Five Civilized Tribes at Hartshorne, Indian Territory, by Joseph M. Edwards for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made on September 9, 1896, for the admission of certain of the applicants as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), the names of the applicants herein appearing in said application as follows: Zora P. Lewis, Edward M. Lewis, Sarah E. Lewis, Gail B. Lewis, Zora A. Lewis, Edward H. Lewis, Thomas P. Lewis, Augusta M. Lewis, Laura A. Lewis, Antha Lewis, Lawrence Lewis, Oscar Lewis, Lydia Clark, Olivia Pryor, Kyle Douglass, Henry Jorden, Rhoda Jorden, Zora Jorden, George Pryor, James Pryor, Mary E. Pryor, Virgil Cowart, Annie Cowart, Samuel P. Cowart, George W. Cowart, Marshal Cowart, Angeline Tabor, Willie L. Tabor, Benny H. Tabor, Herschel L. Tabor, Julius M. Leard, Frank A. Leard, Sudie E. Leard, Nannie E. Leard, Maud Early, Hugh H. Early, Joseph H. Leard, Bell Leard, Madison L. Leard, Jackson A. Leard, Sarah Jane McKibben, George Lewis McKibben, Cassie O. McKibben, Claud T. McKibben, Thomas P. McKibben Zora S. Early, nee Lewis, Lucy Adams, nee Early, Nelly O. Early, Mable Adams, Ophelia S. Edwards, Joseph M. Edwards, Charles Edwards, Lula Edwards, Martha J. Edwards and David L. Edwards. The names of George W. McKibben and Preston Early were also included in said application.

On December 4, 1896, the Commission to the Five Civilized Tribes denied the above application from which decision appeal was taken to the United States Court for the Central District of Indian Territory, which Court on January 19, 1898, reversed the decision as to the above applicants and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause as to all the applicants herein except Sarah J. McKibben and Edward M. Lewis was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), for a triad de novo and on December 3, 1904, in the case entitled "Zora P. Lewis, et al, vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment wherein it was "ordered adjudged and decreed that the petition of the plaintiffs, Zora P. Lewis, Thomas P. Lewis, Zora S. Early, Olivia Pryor, Gale B. Wooding or Gale B. Lewis or Gail B. Lewis, Marshal Cowart, Virgil Cowart, Angalina Adams or Angalina Tabor, or Angeline Tabor, Julius M. Leard, Madison Leard or Madison L. Leard, Jack Leard, Maude Early, Hugh Early, Olivia Clark, Lawrence Lewis, Laura Lewis, Lucy Adams, Nellie Goodwin or Nellie Early, George L. McKibben or George Lewis McKibben, Cassie OL McKibben or McKibben, Claud McKibbin or McKibben, Thomas P. McKibbin or McKibben, Frank A. Leard, Mabel Adams ... Zora A. Lewis, Edward H. Lewis, Sudie Leard, Nannie Leard, Ben Tabor, Herschel Tabor, Kyle Douglass or Douglas, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor or Mary E. Pryor . . . Andth L. Lewis or Antha L. Lewis, Oscar Lewis . . Joseph H. Leard, Sarah E. Lewis, Augusta M. Lewis, Samuel P. Cowart, George V. Cowart, Anna Cowart and Belle Leard be denied and

that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case of "Preston Karly, et al, vs. Choctaw and Chickasaw Nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Preston Karly, Joseph M. Edwards, George W. McKibben or McKibben . . . be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case entitled "Ophelia S. Edwards, et al, vs. Choctaw and Chickasaw Nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards and Martha J. Smith or Martha J. Edwards be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On January 19, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Earnest P. Adams, Ida Vadis Adams, Frank David Leard, Elihu Venable, Sallie O. Pryor, Earl Pryor, Ruthe Adams, Vernon Pryor, and Leona Tabor. January 21, 1905, said Commission issued orders dismissing the applications for the enrollment of Lindly Blaine Guyer, Edith May Guyer, yielding Lewis Guyer, Albert Clarence Goodwin and Luther W. Edwards. On January 24, 1905, said Commission issued an order dismissing the applications for the enrollment of Barney Edward Leard and David Leard. Said orders were based on the fact that the rights of the persons through whom the above applicants claim the right to enrollment as citizens of the Choctaw Nation have been adversely determined by the Choctaw and Chickasaw Citizenship Court.

On January 26, 1905, said Commission issued an order dismissing the application for the enrollment of Grant McKibben for the reason that the rights of said applicant's brothers and sisters whose status as citizens by blood of the Choctaw Nation was identical with the status of said applicant had been adversely determined by said Choctaw and Chickasaw Citizenship Court.

On the same date said Commission issued orders dismissing the application for the enrollment of Sarah J. McKibben and Edward M. Lewis as citizens by blood of the Choctaw Nation for the reason that the judgment of the United States Court of January 19, 1898, favorable to said applicants had been set aside by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, and said cause as to said applicants was not certified to the Choctaw and Chickasaw Citizenship Court for a trial denovo.

On June 26, 1906, there was received at the office of the Commissioner to the Five Civilized Tribes a petition praying for the enrollment of the following persons as citizens by blood of the Choctaw Nation: Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, George Clark, Lawrence Lewis, Laura Lewis, Frank Davis, Antha Lewis, Oscar Lewis, Rhoda Cowart, Olivia Pryor, Virgil Cowart, Marshall Cowart, George V. Cowart, Kyle Douglass, Henry Jordin,

Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Olivia Pryor, Vernon Pryor, Earle Pryor, Emmett Pryor, Josie Pryor, William Early, William E. Hays, Cora Bailey, Samuel Douglas, Ethel Douglas, Henry Munn, Tula Munn, Zora S. Early, Preston Early, Lucy Adams, A. M. Adams, Nellie Goodwin, John Goodwin, Mabel Adams, Ernest Adams, Vadice Adams, Alvey Adams, Clarence Goodwin, Theodore Goodwin, Susan Early, Angeline Adams, John Adams, Julius Leard, Ludie Leard, Madison L. Leard, Eliza Leard, Jack Leard, Susie Leard, Joseph H. Leard, Belle Leard, Hugh Early, Maude Venable, John Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Rufus Adams, Frank Leard, Sudie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Roy Leard, Oma Leard, Elihu Venable, Alice Venable, Jewell Venable, Edward M. Lewis, Sarah E. Lewis, Gail Wooding, John L. Wooding, Zora A. Guyer, William H. Guyer, Edward H. Lewis, Clinton L. Wooding, Lindley B. Guyer, Fielding L. Guyer, Edith Guyer, Jesse Lee Guyer, Rosa F. Guyer, Sarah J. McKibben, G. W. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia Edwards, J. M. Edwards, Charles Edwards, Lula Ratteree, Eugene Ratteree, Martha J. Smith, Oscar Smith, David Self, ____ Self and Leeta Ratteree.

It is alleged in the petition that the petitioners are entitled to enrollment under the supervisory authority of the Honorable Secretary of the Interior as members of the Choctaw Nation by virtue of their Choctaw descent and their residence with said tribe.

The following persons mentioned in the petition are identical with the persons for whose enrollment as citizens by blood and intermarriage of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495): Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, Lawrence Lewis, Laura Lewis, Antha Lewis, Oscar Lewis, Olivia Pryor, Earl Pryor, Virgil Cowart, Marshall Cowart, George V. Cowart, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Edward M. Lewis, Sarah E. Lewis, Joseph H. Leard, Belle Leard, Olivia Pryor, Vernon Pryor, Zora S. Early, Lucy Adams, Nellie Goodwin, Mabel Adams, Earnest Adams, Vadice Adams, Clarence Goodwin, Angeline Adams, Julius Leard, Madison L. Leard, Jack Leard, Hugh Early, Maud Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Frank Leard, Sudie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Elihu Venable, Gail Wooding, Zora A. Guyer, Edward H. Lewis, Lindley B. Guyer, Fielding L. Guyer, Edith Guyer, Sarah J. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia S. Edwards, Charles Edwards, Lula Ratteree, Martha J. Smith and J. M. Edwards.

Application was made under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137) for the enrollment of the following persons as citizens by blood of the Choctaw Nation: July 20, 1906, Alva Adams, born January 5, 1905, minor daughter of A. M. Adams and Lucy Adams;

July 23, 1906, Theodore Early Goodwin, born January 31, 1905, minor son of John T. Goodwin and Nellie Goodwin;

July 24, 1906, Clinton L. Wooding born June 23, 1905, minor son of John L. Wooding and Gail B. Wooding.

July 20, 1906, Jessie Fay Guyer and Rosa Lee Guyer, born January 4, 1904 and March 22, 1905, respectively, children of J. W. Guyer and Zora A. Guyer.

It is not alleged in the petition that any of the petitioners herein ever occupied such a status as would entitle them to enrollment as citizens by blood or intermarriage of the Choctaw Nation; neither can any of the petitioners be identified with any

of the persons whose names appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

Section one of the Act of Congress approved April 26, 1906 (34 Stats., 137), provides in part as follows:

"No motion to reopen or reconsider any citizenship case in any of said tribes shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act".

I am of the opinion that inasmuch as the petition herein was not filed within sixty days after the passage of the Act of April 26, 1906 (34 Stats., 137), I am without authority to receive or consider said petition in so far as same applies to those applicants for whose enrollment application was made under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495).

I am, therefore, of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants ever occupied such a status as would entitle them to enrollment as citizens by blood and intermarriage of the Choctaw Nation, the decisions of the Choctaw and Chickasaw Citizenship Court of December 3, 1904, are final and that the applications for the enrollment of Zora P. Lewis, Zora S. Early, Nellie Early, Thomas P. Lewis, Lawrence Lewis, Laura Lewis, Antha L. Lewis, Oscar Lewis, Lydia Clark, Virgil Cowart, Marshall Cowart, Samuel P. Cowart, George V. Cowart, Julius M. Leard, Frank Leard, Sudie Leard, Nannie Leard, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben, Joseph H. Leard, Madison Leard, Jack Leard, Maud Early, now Maud Venable, Hugh Early, Olivia Pryor, Kyle Douglass, Henry Jordan, Rhoda Jordan, George Pryor, James Pryor, Mary E. Pryor, Angeline Adams, formerly Tabor, Willie Tabor, Ben Tabor, Herschel L. Tabor, Zora A. Guyer, Lucy Adams, Mabel Adams, Gail B. Lewis, now Gail B. Wooding, Edward H. Lewis, Zora Jordan, Ophelia S. Edwards, Charles Edwards, Eula J. Ratteree, nee Edwards, Martha J. Smith, nee Edwards and David L. Edwards as citizens by blood of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) and that the petition herein, in so far as it applies to said applicants, should be dismissed and it is so ordered.

I am further of the opinion that the application for the enrollment of Augusta M. Lewis, Anna Cowart, Sarah E. Lewis, Belle Leard and Joseph M. Edwards as citizens by intermarriage of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and that the petition herein in so far as same applies to said petitioners should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners Edward M. Lewis, Sarah J. McKibben, Ruth Adams, Leona Tabor, Sallie O. Pryor, Vernon Pryor, Earl Pryor, Frank David Leard, Elihu Venable, Grant McKibben, Barnie Edward Leard, David Leard, Albert Clarence Goodwin, Lindly Blaine Guyer, Edith May Guyer, Melding Lewis Guyer, Earnest R. Adams and Ida Vadis Adams, whose applications for enrollment have heretofore been dismissed, should be dismissed, and it is so ordered.

I am further of the opinion that the petitionherein in so far as same applies to the petitioners G. W. McKibben, John L.

Wooding, William Barly, William M. Guyer, John Adams, Ludie Leard, wife of Julius Leard, Eliza Leard, Sallie Leard, John Venable, Frank Davis, George Clark, A. M. Adams, Preston Barly, John Goodwin, Eugene Ratteree, Oscar Smith, Rhoda Cowart, Davie Self and ___Self, husband of Davie Self, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Emmett Pryor, Josie Pryor, Cora Bailey, Samuel Douglass, Ethel Douglass, Henry Munn, Lula Munn, Jesse Lee Guyer, Rosa P. Guyer, Rufus Taber, Roy Leard, Ona Leard, Alice Venable, Jewell Venable, Leeta Ratteree and William M. Hays should be considered as an application for the enrollment of said persons as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that inasmuch as said applications were not filed within the time limited by the provisions of said Act, the same should be dismissed, and it is so ordered.

I am further of the opinion that the application filed July 23, 1906 and July 24, 1906, for the enrollment of Alva Adams, Theodore Barly Goodwin, Clinton L. Wooding, Jessie Fay Guyer and Rosa Lee Guyer and the petition herein in so far as same applies to said applicants should be dismissed, and it is so ordered.

(signed) Tams Bixby,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

Feb 13 1907

Muskogee, Ind. Ter., August, 22d, 1900.

S. V. Pryor Esq.

Stewart, Ind. Ter.

Dear sir;

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Vernon Pryor, the infant son of S. V. and Olivia Pryor, born July 18, 1900, and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-2706

Muskogee, Ind. Ter., August, 22d, 1900.

Earl Pryor, Esq.

Stewart, Ind. Ter.

Dear sir;

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Earl Pryor, the infant son of S. V. and Olivia Pryor, born July 15, 1900, and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-2708.

Muskogee, Indian Territory, October 17, 1901.

Honorable John D. Benedict,
Superintendent of Schools in
Indian Territory,
Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant requesting to be advised whether certain children named therein have been listed for enrollment by this Commission as citizens by blood of the Choctaw Nation, and if so whether by order of the United States Court or otherwise.

You are informed that the records of this office show that Olivia Pryor, 36 years of age, of Stuart, Indian Territory and her minor children, Kyle Douglass, 17 years of age, Henry Jordan 14 years of age, Rhoda Jordan, 12 years of age, Zora Jordan, 10 years of age, George Pryor, 8 years of age, James Pryor 6 years of age and Mary E. Pryor, 3 years of age, were listed for enrollment as citizens by blood of the Choctaw Nation, June 14, 1899 having been admitted to citizenship by a judgment of the United States Court for the Central District of the Indian Territory at South McAlester, Indian Territory, January 1, 1898.

It does not appear from the records that any persons of Mabel Jordan or Edgar Pryor have been listed for enrollment as

citizens of the Choctaw Nation. The records show that the father of the Pryor children, listed for enrollment, is Samuel V. Pryor.

The records further show that Susan Newton, 21 years of age, Joseph Newton, 19 years of age, Lucinda Newton, 17 years of age, Mada Newton, 11 years of age, Ernest Newton, 9 years of age and Bessie Newton, 6 years of age, children of Robert and Katie Newton, of Stuart, Indian Territory were listed for enrollment as citizens by blood of the Choctaw Nation, September 14, 1899, having been identified from the 1896 Choctaw roll. None of the members of this family were admitted to citizenship by a judgment of the United States Court. While the given names of the Newton children are not precisely the same as stated in your letter, it is believed by this office that they are the children concerning whom your inquiry is made. If not, a further communication from you relative to the matter will receive prompt attention.

The records further show that Jas. M. Downun, 40 years of age, whose post office address was given as Springdale, Arkansas, appeared before the Commission, February 24, 1900, and made application for the enrollment of himself, his wife, Miley, and his minor children, Lula Downun, 11 years of age, Gertie Downun, 5 years of age, Ellen Downun, 8 years of age, and Narva Downun, 3 years of age. The records of this office show that the application of these parties for enrollment as citizens of the Choctaw Nation

D. #3.

was refused.

Yours truly,

Acting Chairman.

7-2708.
7-4787.
7. R. 417.

Choctaw 2708

Muskogee, Indian Territory, July 2, 1902.

Douglas Kyle,

Stuart, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 25, 1902, in which you state that you are a Choctaw by blood and have married a non citizen and desire to be informed if she is entitled to enrollment and if so that you be furnished with a blank.

You are advised that the Commission cannot render opinions upon hypothetical questions of enrollment but can only determine the rights of an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation, after an application for such enrollment has been made.

The Commission has no blanks for the purpose of making application for enrollment as a citizen by intermarriage of the Choctaw Nation, the rules and regulations of the Commission and of the Department of the Interior requiring that all applicants for enrollment as citizens by intermarriage of the Choctaw Nation must appear in person before the Commission for the purpose of examination under oath.

D K 2

If your wife desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at any time prior to some date to be fixed or agreed upon terminating the time within which the Commission can receive applications of this character.

In view of the probability of some such date being early fixed or agreed upon, it is advisable if your wife anticipates making such application that she do so as early as practicable.

Yours truly,

Commissioner in Charge.

7-8708

Muskogee, Indian Territory, February 10, 1903.

Olivia Price,

Stewart, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter without date in which you state that you are a Court citizen, and have your selection of land fenced, and you wish to know if you will be protected in your possession thereof until your right is finally determined.

In reply to your letter you are informed that it appears from our records that you and your ten minor children were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester January 1, 1898, in citizenship case No. 101.

On December 17, 1902, the Choctaw-Chickasaw Citizenship Court, created under the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added, however, that lands upon which so-called Court claimants have improvements not in excess of lawful allotments will not be allotted to any citizen until the rights of said Court claimants are finally determined.

Respectfully,

Acting Chairman.

Choctaw 2708

Muskogee, Indian Territory, April 16, 1903.

S. V. Pryor,

Stuart, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 10, stating that your wife and family are court citizens and asking if there is any way by which you can keep citizens from filing on their land until their case is decided.

In reply to your letter you are advised that the Commission will not allot lands on which so-called court claimants have improvements, not in excess of lawful allotments, without notice to them of application having been made therefor, and they will be permitted to institute contest for their improvements.

Respectfully,

Rules for allotment.

BIRTH AFFIDAVIT. (COPY) 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Sallie O. Pryor (Here insert name of child.), born on the 21st day of April, 1898

Name of Father: Samuel V. Pryor a citizen of the U.S. Nation.

Name of Mother: Olivia Pryor a citizen of the Choctaw Nation.

Postoffice Stewart, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Olivia Pryor, on oath state that I am 36 years of age and a citizen by blood, of the Choctaw Nation; that I am the lawful wife of Samuel V. Pryor, who is a citizen, by ....., of the U.S. Nation; that a female (Male or Female.) child was born to me on the 21st day of April, 1898, that said child has been named Sallie O. Pryor, and is now living.

(Signed) Olivia Pryor

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of June, 1899., 190 .

(Signed) A. S. McKennon,
~~Notary Public.~~
Commissioner.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, ... DISTRICT.

I, ..., a ....., on oath state that I attended on Mrs. ....., wife of ..... on the ..... day of ....., 1 ..; that there was born to her on said date a (Male or Female.) child; that said child is now living and is said to have been named .....

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this ..... day of ....., 190 .

Notary Public.

2709

#6 Dismissed Jan 21, 1905
See Pet #C-130 Duplicate record bound
Luther N. Edwards refused

2709

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Luther Ward Edwards, minor son of Joseph M. Edwards and Ophelia S. Edwards.

* * * * *

D E C I S I O N .

It appears from the records in this case that on September 9th, 1896, Ophelia S. Edwards, the mother of Luther Ward Edwards, applicant herein, made application for admission to citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes, acting under the act of Congress of June 10th, 1896, on September 9th, 1896; that on December 4th, 1896, said Commission to the Five Civilized Tribes denied the application for citizenship of the said Ophelia S. Edwards, and the case was then appealed to the United States Court for the Central District of the Indian Territory, at South McAlester, which court reversed the decision of the Commission and admitted Ophelia S. Edwards, the mother of the applicant herein, to citizenship in the Choctaw Nation. On June 14th, 1899, Ophelia S. Edwards was listed for enrollment, pursuant to the judgment of said court, rendered January 19th, 1898.

It appears from the evidence in this case that Luther Ward Edwards, son of Ophelia S. Edwards, was alive at the date of the filing of the original application for citizenship with this Commission and that his name was not included therein; that his name does not appear in the decree of the United States Court in the Indian Territory, Central District, at South McAlester, by which his mother was admitted to citizenship in the Choctaw Nation.

It is, therefore, the judgment of this Commission, that the application for enrollment as a citizen by blood of the Choctaw Nation of Luther Ward Edwards be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Dated August 14" 1900. Acting Chairman.

IN RE

Application for Enrollment of

INFANT CHILD.

REFUSED

As a citizen of the

..... Nation.

Approved ..... 1899.

.....

Commissioner.

REFUSED

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFUSED

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Luther Ward Edwards, born on the 25 day of August, 1896

Name of father: Joseph M Edwards, a citizen of the United States ~~Nation~~.

Name of mother: Ophelia S Edwards, a citizen of the Choctaw Nation.

Post Office: Coalington

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

REFUSED

I, Ophelia S Edwards, on oath, state that I am 39 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Joseph M Edwards who is a citizen, ~~by~~ ..., of the United States ~~Nation~~; that a child was born to me on the 25 day of August, 1896 that said child has been named Luther Ward Edwards and is now living.

Ophelia S Edwards

Subscribed and sworn to before me this 31 day of May, 1899.

John W Cook
Notary Public.

My Com Exp Oct 29th 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Wm E Jones M.D., a Physician on oath, state that I attended on Mrs. Ophelia S Edwards, wife of Joseph M Edwards on the 25 day of Aug, 1896 that there was born to her on said date a Male child; that said child is now living and is said to have been named Luther Ward Edwards.

REFUSED

Wm E Jones M.D.

Subscribed and sworn to before me this 27 day of May, 1899.

P L Smith
Notary Public.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Luther Ward Edwards, minor son of Joseph M. Edwards and Ophelia S. Edwards.

. . . . .

D E C I S I O N .

It appears from the records in this case that on September 9th, 1896, Ophelia S. Edwards, the mother of Luther Ward Edwards, applicant herein, made application for admission to citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes, acting under the act of Congress of June 10th, 1896, on September 9th, 1896; that on December 4th, 1896, said Commission to the Five Civilized Tribes denied the application for citizenship of the said Ophelia S. Edwards, and the case was then appealed to the United States Court for the Central District of the Indian Territory, at South McAlester, which court reversed the decision of the Commission and admitted Ophelia S. Edwards, the mother of the applicant herein, to citizenship in the Choctaw Nation. On June 14th, 1899, Ophelia S. Edwards was listed for enrollment, pursuant to the judgment of said court, rendered January 19th, 1898.

It appears from the evidence in this case thatLuther Ward Edwards, son of Ophelia S. Edwards, was alive at the date of the filing of the original application for citizenship with this Commission and that his name was not included therein; that his name does not appear in the decree of the United States Court in the Indian Territory, Central District, at South McAlester, by which his mother was admitted to citizenship in the Choctaw Nation.

It is, therefore, the judgment of this Commission, that the application for enrollment as a citizen by blood of the Choctaw Nation of Luther Ward Edwards be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Dated August 14" 1900. Acting Chairman.

Choctaw 2709

Muskogee, Indian Territory, January 21, 1905.

Ophelia S. Edwards,

McCurtain, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 21, 1905, dismissing the application for the enrollment of your minor child, Luther Ward Edwards, as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-2709.

Choctaw 2709

Muskogee, Indian Territory, January 21, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 21, 1905, dismissing the application for the enrollment of Luther Ward Edwards as a citizen by blood of the Choctaw Nation.

Respectfully,

Incl. 7-2709.

Chairman.

DEPARTMENT OF THE INTERIOR, W.C.F.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

C- 130
7-D- 2
7- 13
7- 14
7-D-293
7-D-299
7- 2708
7- 2709
7- 3277
7- 3279
7-3280
7- 3294
7- 3295
7- 3296
7- 3297
7- 3298
7- 5234
23- 953
23- 970
23- 991
23- 992

In the matter of the application for the enrollment of THOMAS P. LEWIS, et al, as citizens by blood and intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, August 7, 1899, by Thomas P. Lewis for the enrollment of Himself, his children, Lawrence Lewis, Laura Lewis, Antha L. Lewis, and Oscar Lewis as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Augusta M. Lewis, as a citizen by intermarriage of the Choctaw Nation; the census card record shows that on the same date application was made by Zora P. Lewis for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made by Edward M. Lewis for the enrollment of himself and children, Gail B. Lewis, Edward H. Lewis and Zora A. Guyer as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Sarah E. Lewis, as a citizen by intermarriage of the Choctaw Nation; that on July 16, 1900, written application was filed for the enrollment of Lindly Blaine Guyer and on June 7, 1901, application was filed for the enrollment of Edith May Guyer; on September 24, 1902, application was filed for the enrollment of Fielding Lewis Guyer, minor child of William H. Guyer and Zora A. Guyer, as citizens by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Edward M. Lewis for the enrollment of Sarah J. McKibben and her children, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben and Grant McKibben as citizens by blood of the Choctaw Nation; that on the same date application was made by Lydia Clark to the Commission to the Five Civilized Tribes for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Virgil Cowart for the enrollment of himself as a citizen by blood of the Choctaw Nation and for the enrollment of his wife, Anna Cowart, as a citizen

by intermarriage of the Choctaw Nation; that on September 2, 1898, application was made by Marshall Cowart for the enrollment of himself and his brothers, Samuel P. Cowart and George V. Cowart, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, during the month of August, 1899, by Lucy Adams for the enrollment of herself and her minor children, Mabel Adams and Earnest P. Adams, as citizens by blood of the Choctaw Nation; that on February 24, 1902, written application was filed for the enrollment of Ida Vadis Adams, minor child of said Lucy Adams and A. M. Adams as a citizen by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Zora S. Early for the enrollment of herself and her daughter, Nellie Early, as citizens by blood of the Choctaw Nation; that on June 14, 1901, written application was filed for the enrollment of Albert Clarence Goodwin, minor child of Nellie Goodwin, nee Early, and John Goodwin as a citizen by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes by Joseph H. Leard for the enrollment of himself, Madison Leard, Jack Leard, Maud Early and Hugh Early as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Belle Leard, as a citizen by intermarriage of the Choctaw Nation; that on February 28, 1901, written application was filed for the enrollment of Frank David Leard, minor child of Madison Leard and Eliza Leard as a citizen by blood of the Choctaw Nation; that on August 29, 1901, written application was filed for the enrollment of Elihu Venable, minor child of John Venable and Maud Venable as a citizen by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by Olivia Pryor for the enrollment of herself and her minor children, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor and Sallie O. Pryor as citizens by blood of the Choctaw Nation; that on August 18, 1900, written applications were filed for the enrollment of Vernon Pryor and Earl Pryor, minor children of said Olivia Pryor and S. V. Pryor as citizens by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, by Angeline Tabor for the enrollment of herself and her minor children, Willie Tabor, Ben Tabor and Herschel L. Tabor as citizens by blood of the Choctaw Nation; that on March 1, 1901, written application was filed for the enrollment of Ruthe Adams, minor child of Angeline Tabor, (now Adams) and J. J. Adams, and on August 7, 1902, written application was filed for the enrollment of Leona Tabor, minor child of Angeline Tabor and Sherman Tabor as citizens by blood of the Choctaw Nation; that on September 29, 1898, application was made to the Commission to the Five Civilized Tribes at Tishomingo, Indian Territory, by Julius M. Leard for the enrollment of himself and his minor children, Frank Leard, Sudie Leard and Nannie Leard as citizens by blood of the Choctaw Nation; that on August 6, 1900, written application was filed for the enrollment of Barney Edward Leard and on November 1, 1901, written application was filed for the enrollment of David Leard, minor children of Sudie Leard and Julius M. Leard as citizens by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by Ophelia S. Edwards for the enrollment of herself and children, Charles Edwards, Lula J. Edwards, Martha J. Edwards, David L. Edwards and Luther W.

Edwards as citizens by blood of the Choctaw Nation; that on August 5, 1899, application was made to the Commission to the Five Civilized Tribes at Hartshorne, Indian Territory, by Joseph M. Edwards for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made on September 9, 1896, for the admission of certain of the applicants as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), the names of the applicants herein appearing in said application as follows: Zora P. Lewis, Edward M. Lewis, Sarah E. Lewis, Gail B. Lewis, Zora A. Lewis, Edward H. Lewis, Thomas P. Lewis, Augusta M. Lewis, Laura A. Lewis, Antha Lewis, Lawrence Lewis, Oscar Lewis, Lydia Clark, Olivia Pryor, Kyle Dougless, Henry Jorden, Thoda Jorden, Zora Jorden, George Pryor, James Pryor, Mary E. Pryor, Virgil Cowart, Annie Cowart, Samuel P. Cowart, George V. Cowart, Marshal Cowart, Angeline Tabor, Willie L. Tabor, Benny H. Tabor, Herschel L. Tabor, Julius M. Leard, Frank A. Leard, Sudie E. Leard, Nannie E. Leard, Maud Early, Hugh H. Early, Joseph H. Leard, Bell Leard, Madison L. Leard, Jackson A. Leard, Sarah Jane McKibben, George Lewis McKibben, Cassie O. McKibben, Claud T. McKibben, Thomas P. McKibben Zora S. Early, nee Lewis, Lucy Adams, nee Early, Nelly O. Early, Mable Adams, Ophelia S. Edwards, Joseph M. Edwards, Charles Edwards, Lula Edwards, Martha J. Edwards and David L. Edwards. The names of George W. McKibben and Preston Early were also included in said application.

On December 4, 1896, the Commission to the Five Civilized Tribes denied the above application from which decision appeal was taken to the United States Court for the Central District of Indian Territory, which Court on January 19, 1898, reversed the decision as to the above applicants and admitted said applicants to citizenship in the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause as to all the applicants herein except Sarah J. McKibben and Edward M. Lewis was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), for a triad de novo and on December 3, 1904, in the case entitled "Zora P. Lewis, et al, vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment wherein it was "ordered adjudged and decreed that the petition of the plaintiffs, Zora P. Lewis, Thomas P. Lewis, Zora S. Early, Olivia Pryor, Gale B. Wooding or Gale B. Lewis or Gail B. Lewis, Marshal Cowart, Virgil Cowart, Angalina Adams or Aggalina Tabor, or Angeline Tabor, Julius M. Leard, Madison Leard or Madison L. Leard, Jack Leard, Maude Early, Hugh Early, Olivia Clark, Lawrence Lewis, Laura Lewis, Lucy Adams, Nellie Goodwin or Nellie Early, George L. McKibben or George Lewis McKibben, Cassie OL McKibbin or McKibben, Claud McKibbin or McKibben, Thomas P. McKibbin or McKibben, Frank A. Leard, Mabel Adams ... Zora A. Lewis, Edward H. Lewis, Sudie Leard, Nannie Leard, Ben Tabor, Herschel Tabor, Kyle Douglass or Douglas, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary F. Pryor or Mary E. Pryor . . . Andth L. Lewis or Antha L. Lewis, Oscar Lewis . . Joseph H. Leard, Sarah E. Lewis, Augusta M. Lewis, Samuel P. Cowart, George V. Cowart, Anna Cowart and Belle Leard be denied and

that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case of "Preston Early, et al, vs. Choctaw and Chickasaw Nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Preston Early, Joseph M. Edwards, George W. McKibbin or McKibben . . . be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case entitled "Ophelia S. Edwards, et al, vs. Choctaw and Chickasaw Nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards and Martha J. Smith or Martha J. Edwards be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On January 19, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Earnest P. Adams, Ida Vadis Adams, Frank David Leard, Elihu Venable, Sallie O. Pryor, Earl Pryor, Ruthe Adams, Vernon Pryor, and Leona Tabor. January 21, 1905, said Commission issued orders dismissing the applications for the enrollment of Lindly Blaine Guyer, Edith May Guyer, Fielding Lewis Guyer, Albert Clarence Goodwin and Luther W. Edwards. On January 24, 1905, said Commission issued an order dismissing the applications for the enrollment of Barney Edward Leard and David Leard. Said orders were based on the fact that the rights of the persons through whom the above applicants claim the right to enrollment as citizens of the Choctaw Nation have been adversely determined by the Choctaw and Chickasaw Citizenship Court.

On January 26, 1905, said Commission issued an order dismissing the application for the enrollment of Grant McKibben for the reason that the rights of said applicant's brothers and sisters whose status as citizens by blood of the Choctaw Nation was identical with the status of said applicant had been adversely determined by said Choctaw and Chickasaw Citizenship Court.

On the same date said Commission issued orders dismissing the application for the enrollment of Sarah J. McKibben and Edward M. Lewis as citizens by blood of the Choctaw Nation for the reason that the judgment of the United States Court of January 19, 1898, favorable to said applicants had been set aside by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, and said cause as to said applicants was not certified to the Choctaw and Chickasaw Citizenship Court for a trial denovo.

On June 26, 1906, there was received at the office of the Commissioner to the Five Civilized Tribes a petition praying for the enrollment of the following persons as citizens by blood of the Choctaw Nation: Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, George Clark, Lawrence Lewis, Laura Lewis, Frank Davis, Antha Lewis, Oscar Lewis, Rhoda Cowart, Olivia Pryor, Virgil Cowart, Marshall Cowart, George V. Cowart, Kyle Douglass, Henry Jordin,

Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Olivia Pryor, Vernon Pryor, Earle Pryor, Emmett Pryor, Josie Pryor, William Early, William E. Hays, Coma Bailey, Samuel Douglas, Ethel Douglas, Henry Nunn, Tula Nunn, Zora S. Early, Preston Early, Lucy Adams, A. M. Adams, Nellie Goodwin, John Goodwin, Mabel Adams, Ernest Adams, Vadice Adams, Alvey Adams, Clarence Goodwin, Theodore Goodwin, Susan Early, Angeline Adams, John Adams, Julius Leard, Ludie Leard, Madison L. Leard, Eliza Leard, Jack Leard, Susie Leard, Joseph H. Leard, Belle Leard, Hugh Early, Maude Venable, John Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Rufus Adams, Frank Leard, Sudie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Roy Leard, Oma Leard, Elihu Venable, Allice Venable, Jewell Venable, Edward M. Lewis, Sarah E. Lewis, Gail Wooding, John L. Wooding, Zora A. Guyer, William H. Guyer, Edward H. Lewis, Clinton L. Wooding, Lindley B. Guyer, Fielding L. Guyer, Edith Guyer, Jesse Lee Guyer, Rosa F. Guyer, Sarah J. McKibben, G. W. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia Edwards, J. M. Edwards, Charles Edwards, Lula Ratteree, Eugene Ratteree, Martha J. Smith, Oscar Smith, David Self, . Self and Loeta Ratteree.

It is alleged in the petition that the petitioners are entitled to enrollment under the supervisory authority of the Honorable Secretary of the Interior as members of the Choctaw Nation by virtue of their Choctaw descent and their residence with said tribe.

The following persons mentioned in the petition are identical with the persons for whose enrollment as citizens by blood and intermarriage of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495): Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, Lawrence Lewis, Laura Lewis, Antha Lewis, Oscar Lewis, Olivia Pryor, Earl Pryor, Virgil Cowart, Marshall Cowart, George V. Cowart, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Edward M. Lewis, Sarah E. Lewis, Joseph H. Leard, Belle Leard, Olivia Pryor, Vernon Pryor, Zora S. Early, Lucy Adams, Nellie Goodwin, Mabel Adams, Earnest Adams, Vadice Adams, Clarence Goodwin, Angeline Adams, Julius Leard, Madison L. Leard, Jack Leard, Hugh Early, Maud Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Frank Leard, Sudie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Elihu Venable, Gail Wooding, Zora A. Guyer, Edward H. Lewis, Lindley B. Guyer, Fielding L. Guyer, Edith Guyer, Sarah J. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia S. Edwards, Charles Edwards, Lula Ratteree, Martha J. Smith and J. M. Edwards.

Application was made under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137) for the enrollment of the following persons as citizens by blood of the Choctaw Nation: July 20, 1906, Alva Adams, born January 5, 1905, minor daughter of A. M. Adams and Lucy Adams;

July 23, 1906, Theodore Early Goodwin, born January 31, 1905, minor son of John T. Goodwin and Nellie Goodwin;

July 24, 1906, Clinton L. Wooding born June 23, 1905, minor son of John L. Wooding and Gail B. Wooding.

July 20, 1906, Jessie Fay Guyer and Rosa Lee Guyer, born January 4, 1904 and March 22, 1905, respectively, children of J. W. Guyer and Zora A. Guyer.

It is not alleged in the petition that any of the petitioners herein ever occupied such a status as would entitle them to enrollment as citizens by blood or intermarriage of the Choctaw Nation; neither can any of the petitioners be identified with any

of the persons whose names appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

Section one of the Act of Congress approved April 26, 1906 (34 Stats., 137), provides in part as follows:

"No motion to reopen or reconsider any citizenship case in any of said tribes shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act".

I am of the opinion that inasmuch as the petition herein was not filed within sixty days after the passage of the Act of April 26, 1906 (34 Stats., 137), I am without authority to receive or consider said petition in so far as same applies to those applicants for whose enrollment application was made under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495).

I am, therefore, of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants ever occupied such a status as would entitle them to enrollment as citizens by blood and intermarriage of the Choctaw Nation, the decisions of the Choctaw and Chickasaw Citizenship Court of December 3, 1904, are final and that the applications for the enrollment of Zora P. Lewis, Zora S. Early, Nellie Early, Thomas P. Lewis, Lawrence Lewis, Laura Lewis, Antha L. Lewis, Oscar Lewis, Lydia Clark, Virgil Cowart, Marshall Cowart, Samuel P. Cowart, George V. Cowart, Julius M. Leard, Frank Leard, Sudie Leard, Nannie Leard, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben, Joseph H. Leard, Madison Leard, Jack Leard, Maud Early, now Maud Venable, Hugh Early, Olivia Pryor, Kyle Douglass, Henry Jordan, Rhoda Jordan, George Pryor, James Pryor, Mary E. Pryor, Angeline Adams, formerly Tabor, Willie Tabor, Ben Tabor, Herschel L. Tabor, Zora A. Guyer, Lucy Adams, Mabel Adams, Gail B. Lewis, now Gail B. Wooding, Edward H. Lewis, Zora Jordan, Ophelia S. Edwards, Charles Edwards, Lula J. Ratteree, nee Edwards, Martha J. Smith, nee Edwards and David L. Edwards as citizens by blood of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) and that the petition herein, in so far as it applies to said applicants, should be dismissed and it is so ordered.

I am further of the opinion that the application for the enrollment of Augusta M. Lewis, Anna Cowart, Sarah E. Lewis, Belle Leard and Joseph M. Edwards as citizens by intermarriage of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and that the petition herein in so far as same applies to said petitioners should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners Edward M. Lewis, Sarah J. McKibben, Ruth Adams, Leona Tabor, Sallie O. Pryor, Vernon Pryor, Earl Pryor, Frank David Leard, Elihu Venable, Grant McKibben, Barnie Edward Leard, David Leard, Albert Clarence Goodwin, Lindly Blaine Guyer, Edith May Guyer, Fielding Lewis Guyer, Earnest R. Adams and Ida Vadis Adams, whose applications for enrollment have heretofore been dismissed, should be dismissed, and it is so ordered.

I am further of the opinion that the petitionherein in so far as same applies to the petitioners G. W. McKibben, John L.

Wooding, William Early, William H. Guyer, John Adams, Ludie Leard, wife of Julius Leard, Eliza Leard, Susie Leard, John Venable, Frank Davis, George Clark, A. M. Adams, Preston Early, John Goodwin, Eugene Ratteree, Oscar Smith, Rhoda Cowart, Davie Self and ___Self, husband of Davie Self, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Emmett Pryor, Josie Pryor, Cora Bailey, Samuel Douglass, Ethel Douglass, Henry Munn, Lula Munn, Jesse Lee Guyer, Rosa F. Guyer, Rufus Tabor, Roy Leard, Oma Leard, Allice Venable, Jewell Venable, Leeta Ratteree and William E. Hays should be considered as an application for the enrollment of said persons as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that inasmuch as said applications were not filed within the time limited by the provisions of said Act, the same should be dismissed, and it is so ordered.

I am further of the opinion that the application filed July 23, 1906 and July 24, 1906, for the enrollment of Alva Adams, Theodore Early Goodwin, Clinton L. Wooding, Jessie Fay Guyer and Rosa Lee Guyer and the petition herein in so far as same applies to said applicants should be dismissed, and it is so ordered.

(signed) Tams Bixby,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

Feb 13 1907

Choctaw-2709.
Choctaw-D-293.

Muskogee, Indian Territory, June 28, 1904.

Joe M. Edwards,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 13th, in which you state that the case of the application of your wife for citizenship was closed by the Choctaw and Chickasaw Citizenship Court on February 4, 1904; but that no decision has yet been handed down.

In reply to your letter, you are informed that it appears from our records that the application of yourself and family for citizenship in the Choctaw Nation is pending before the Choctaw and Chickasaw Citizenship Court and for information relative thereto, you should address the Clerk of that Court at Tishomingo, Indian Territory. Under the provisions of the act of Congress approved July 1, 1902 the Commission is without authority to enroll or to make allotment to any person whose citizenship in the Choctaw or Chickasaw Nation is dependent upon judgments of United States Courts in the Indian Territory, until their right to such citizenship is finally determined.

Respectfully,

Commissioner in Charge.

2710 Ulric Z. Nicks Choc

2710

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Ulric Z. Hicks as Choctaw citizen;being sworn and examined by Com'r McKennon he testifies:

You are the identical person who is admitted here by the United States Court at South McAlester January 19th, 1898, case 101 under the name of Ulric C. Hicks are you? A I am.

Q Where have you been living? A I was born and raised in the Choctaw Nation.

Q Been living here all the while? A Yes sir.

Q Never been anywhere else? A I have been away to other places on visits.

Q When did you go away from here, when were you out of the Territory? A I went on a trip to Oklahoma last fall was a year ago.

Q How long did you stay? A I staid not quite two months.

Q What time did you go and what time did you return?

A I cannot exactly give the dates, but it was somewhere in September when I went and somewhere in November when I returned.

Q That was last fall was a year ago? A Yes sir.

Q Have you been living in the Territory continuously ever since up to this time? A Yes sir.

Q Where had you been living before you went to Oklahoma?

A In the Choctaw Nation

Q How long? A All my life.

Q Up to that time? A I had been to Tennessee when I was small on a trip

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Monroe, I. T.

March 22, 1905.

To the Commission to the 5 tribes.

Messers yours of March the 12th is at hand Forwarded to me from Shawnee O. T. In reply to the interogation "is Ullric Z Hicks your son" I sent the answer mailed at Shawnee, O.T. which you did not get, But I now answer he is my son by the Indian woman Shoes Indian Keep.

Yours largely,

S. P. Hicks.

Muskogee, Indian Territory, October 29, 1901.

David Crenshaw,

Attorney & Notary Public ,

Fanshawe, Indian Territory.

Dear Sir:

Your letter of the 15th instant addressed to the Secretary of the Interior, has by him been referred to this Commission for consideration and appropriate action.

In your letter you make inquiry relative to the submission of affidavits in support of the claim of S. P. Hicks as an intermarried citizens of the Choctaw Nation and desire to be informed that if affidavits submitted in behalf of S. P. Hicks to this Commission will be forwarded to the Secretary of the Interior for his consideration.

Replying to your inquiry, you are informed that it appears from the records of this office, that on June 14, 1899, Ulric Z. Hicks, 23 years of age, of Shady Point, Indian Territory, was listed for enrollment as a citizen by blood of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, I. T., January 19, [redacted] in court case No. 101.

D C 2

The father of Ulric Z. Hicks appears upon our records as Stephen .P. Hicks, a non citizen white man and it is presumed that this is the person concerning whom you desire the information requested.

It does not appear that any person by the name of S. P. Hicks has ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen by intermarriage of that nation nor is there any record of any application having been made by S . P. Hicks to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation.

If Mr. Hicks is desirous of making application for enrollment as an intermarried citizen of the Choctaw Nation, he will be heard upon his personal appearance at the office of the Commission at Muskogee, Indian Territory.

Yours truly,

Acting Chairman.

7-2710

Choctaw 2710

Muskogee, Indian Territory, July 15 , 1902.

Ulrick Z. Hicks,

Monroe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 10th instant, in which you request a birth certificate and desire to be advised how to have your wife enrolled.

There is enclosed you herewith a blank application for the enrollment of an infant child. In having the same executed, be careful to see that all blanks are properly filled, all names written in full and in the event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the acknowledgments of the mother and the attending physician or nurse are made, must affix his notarial jurat and seal to each separate affidavit.

The rules and regulations of this Commission require that applicants for enrollment as citizens by intermarriage of the Choctaw Nation must present themselves in person before the Commission for the purpose of examination. If you have since the

U E M S

time you were listed for enrollment by this Commission, married a white woman who now desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at any time prior to the date to be fixed or agreed upon terminating the time within which the Commission can receive applications of this character. If your wife anticipates making such application, it is advisable that she do so as early as practicable.

Yours truly,

Acting Chairman.

7-2710

Muskogee, Indian Territory, December 15, 1905.

Ulrick Z. Hicks,

Monroe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 11, 1905, stating that you have read the ruling of the Secretary of the Interior in regard to court claimants holding their land until a final decision therein, and you state that you are connected with the Nora P. Lewis case and you wish to know if each one comes in individually, or, if one of the family gets a right, if all will be entitled.

In reply to your letter you are advised that it appears from the records of this office that you were denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court on December 3, 1904, in case No. 58 on the South McAlester docket.

You are further advised that it does not appear from the records of this office that you were ever enrolled by the Choctaw tribal authorities and from the record in this case it is not believed that you come within the class referred to in Departmental

U. Z. R. #2

ruling in the Choctaw enrollment case of Lula West et al.

Respectfully,

Commissioner.

2711 John W. Wyers choc

2711

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

JOHN W. WYERS, 7-2711.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of John W. Wyers as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

Name is John W. Wyers, aged thirty-one.

Q Your wife is named Irene is she? A Yes sir.

Q When was you first married to her? A In 1887 .

Q In the Choctaw Nation? A Yes sir.

Q You were not married then under Choctaw law? A No sir.

Q You present a license now dated May 13th, 1899 under which you married her; had you been divorced from your wife? A Nosir.

Q You have lived with her all the while? A Yes sir.

Q These children were born to you then since your first marriage and before your last one? A Yes sir.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a full and correct translation of my stenographic notes.

M D Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Tuskahoma, Indian Territory, December 12th, 1902.

Choctaw 2711.
Intermarried.

In the matter of the application of John W. Wyers for enrollment as an intermarried citizen of the Choctaw Nation.

John W. Wyers, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A John W. Wyers.
Q How old are you? A Thirty five.
Q What is your post office address? A McCurtain, Indian Territory
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A About sixteen years.
Q Have you lived here continuously for the past sixteen years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw wife through whom you claim these rights? A IreneBrashears
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A Not that I know of.
Q When were you married to Irene Brashears? A About 1887.
Q Where was the marriage cereemony performed? A Skullyville county
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Parson Howell the first time.
Q Under what law was this marriage performed? A That was just married according to the customs at that time.
Q Did you procure a license for this first marriage? A No sir.
Q Afterwards you remarried the same woman? A Yes sir.
Q What was the date of your second marriage? A 1898.
Q Did you procure a tribal license for the second marriage? A Yes sir
Q From whom did you get that license? A Clerk of this county.
Q How much did you pay for the license? A One hundred dollars.
Q Who performed the second marriage ceremony? A Parson Napier.
Q Was there any separation between you and your wife between these two marriages? A No sir.
Q Were you ever married previous to your first marriage to Irene Brashears? A No sir.
Q Was she ever married previous to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as bona fide residents of the Choctaw Nation? A Yes sir.

---oOo---

Harry C Rateen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in dull all proceedings had in the above entitled cause

on the 12th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry L. Pistee

Subscribed and sworn to before me this 22 day of January 1903.

Charles Hetherington

Notary Public.

John A Hyers
To Marriage License
Irene Brashew

Wade County
Choctaw Nation

To whom it may Concern,

Whereas, John H Tyers, a Citizen of the United States, and a white person, has presented to me his petition as required by the laws of the Choctaw Nation, regulating the intermarriage of citizens with Choctaws, and has taken the oath, and paid to me the amount required by said Choctaw laws, to wit: One hundred Dollars, Now therefore, I William A Hall Clerk of the County Court, of said County of Wade, by authority in me vested by the laws of the Choctaw Nation, have granted unto him the said, John H Tyers a License, authorizing him to be lawfully married to and with Irena Brashears, a Choctaw Indian, and I hereby authorize, and empower any person legally qualified to solemnize the rights of matrimony to pronounced them husband and wife.

In testimony whereof, I have hereto set my hand, and the seal of said Court, on this 8th day of May 1899.

W A Hall
Clerk of Wade County

Filed in my office
Recorded - at page
41 - book - C - the
Records of Sans Bois
County, this June 2, 1899.

Tom M. Stone
Co Clerk -

Panther I T

Ledger Correspondence.

I Isaac. Napier A Minister of
The Gospel Do Hearby Certify
that I Did. unite Mr John
M. Myers. & Irena. Brashers
in Baby Matrimany on the
13 Day of May. 1899 My
Cardintials ar on Record in
South Mcalister. I. T. in Book
D. Page 30 this Witness My
Hand this the 13 Day of May
1899 I, Isaac. Napier
A Baptist Minster of the
Gospel

7-2711.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John W. Wyers as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that John W. Wyers on May 13, 1899, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Irene Wyers (nee Brashears), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7908, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that John W. Wyers should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAY 1 1903

Choctaw 2711

COPY.

Muskogee, Indian Territory, May 7, 1903.

John W. Wyers,
McCurtain, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 7, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Register
Enc MYC 21

Chairman.

Choctaw 2711

COPY.

Muskogee, Indian Territory, May 7, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 7, 1903, granting the application of John W. Wyers, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby.

Chairman.

Register.
Enc MYC 22

Commission to the Five Civilized Tribes,

Spiro, Indian Territory

In the enrollment of Irene Wyers and children as Choctaw citizens Letha Smith being sworn and examined by Com'r McKennon testifies:

Q What is your name? A Letha Smith .

Q How old are you? A I am fifty-six years old.

Q Do you know Irene Wyers? A Yes sir she is my cousin.

Q Did you know her father and mother? A Yes sir

Q What was her father's name? A Turner Brashears, a Choctaw citizen

Q What was her mother's name? A Kate Brashears , that was Turner's wife.

Q She was a white woman? A Yes sir.

Q You know anything about their marriage? A Yes sir I saw them married.

Q Where? A At Brushy, my old home place in the Choctaw Nation.

Q When? A Somewheres along about ~~the~~ 1857, I think, somewheres along about that time.

Q Did they live together as husband and wife after that time? A Yes sir, until their death.

Q Who married them? A I don't know; it was a Choctaw preacher.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

IN RE

Application for Enrollment of

INFANT CHILD.

Sampson Byers

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

7-2711

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of J W Wyers Creek, born on the 18 day of May, 1898.

Name of father: J W Wyers, a citizen of the Cherokee Nation.

Name of mother: Irene Wyers, a citizen of the Cherokee Nation.

Post Office: Danville I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Cornish District.

I, Irene Wyers do, on oath, state that I am 29 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of J W Wyers who is a citizen, by Intermarriage of the Cherokee Nation; that a child was born to me on the 18 day of May, 1898; that said child has been named Samson Wyers, and is now living.

Irene Wyers

Subscribed and sworn to before me this 14 day of June, 1898.

W J Hill

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Cornish District.

I, Sarah Naylor, a midwife, on oath, state that I attended on Mrs. Irene Wyers the, wife of J W Wyers on the 18 day of May, 1898; that there was born to her on said date a child; that said child is now living and is said to have been named Samson Wyers.

Sarah Naylor

Subscribed and sworn to before me this 11 day of June, 1898.

W J Hill

Notary Public.

A.W. XED

20

IN RE

Application for Enrollment of

INFANT CHILD

Edna Wyers

as a citizen of

Choctaw Nation.

Approved MAR 25 1902

100

Vice-Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 25 1902

ACTING CHAIRMAN.

7-2711

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Edna Wyers (Here insert name of child.), born on the 7 day of February, 1902.
Name of Father: John W Wyers a citizen of the Choctaw Nation.
Name of Mother: Irene Wyers a citizen of the Choctaw Nation.
Post-office Panther Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central XX District.

I, Irene Wyers, on oath state that I am 32 years of age and a citizen, by birth, of the Choctaw Nation; that I am the lawful wife of John W Wyers, who is a citizen, by Marriage, of the Choctaw Nation; that a female (male or female) child was born to me on 7 day of February 1902, that said child has been named Edna Wyers, and is now living.

Irene Wyers

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 21 *day of* March *1902.*

My Com Exp 1-31-1904

Frank E Parke
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
District.

I, John S. Lawson, a physician, on oath state that I attended on Mrs. Irene Wyers, wife of John W. Wyers, on the 7 day of February, 1902; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Edna Wyers

John S. Lawson M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 21 *day of* March *1902*

My Com Exp 1-31-1904

Frank E Parke
NOTARY PUBLIC

CHOCTAW. 20 XIX

IN RE

Application for Enrollment of

INFANT CHILD.

Lorena Myers

As a citizen of the

Choctaw Nation.

Approved JAN 3 1901

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 31 1901

ACTING CHAIRMAN.

CHOCTAW.
2711

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Lorena Wyers, born on the 22 day of April, 1900.

Name of father: John Wyers, a citizen of the Choctaw Nation.

Name of mother: Irene Wyers, a citizen of the Choctaw Nation.

Post Office: Perryton Tex

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Irene Wyers, on oath, state that I am 20 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of John Wyers who is a citizen, by marriage, of the Choctaw Nation; that a Girl child was born to me on the 22 day of April, 1900; that said child has been named Lorena Wyers, and is now living.

Irene Wyers

Subscribed and sworn to before me this 15 day of April, 1900.

W J Hill

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sarah Taylor, a Midwife, on oath, state that I attended on Mrs. Irene Wyers, wife of John Wyers on the 22 day of April, 1900; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Lorena

Sarah Taylor

Subscribed and sworn to before me this 15 day of Dec, 1900.

W J Hill

Notary Public.

Muskogee, Indian Territory, January 21, 1901.

John Byers,

Panther, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Lorena Byers, the infant daughter of John and Irene Byers, born April 22nd, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

9-8711

7-8711

Muskogee, Indian Territory, March 25, 1902.

John T. Wyers,

Panther, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Edna Wyers, the infant daughter of John Wyers and Irene Wyers, born February 7, 1902, and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

INTERIOR

DEC -9 1916

FOR FILE

[illegible] the Interior:

[illegible]itted herewith a communication from [illegible] for the Five Civilized Tribes, dated [illegible] with other papers, relating to [illegible] Choctaw by blood, Roll No.7913. [illegible] upon being advised that Pearl [illegible] an investigation to be made [illegible] Probate Attorney. Mr. Hale [illegible] W. Wyers, Intermarried Choctaw, [illegible] Wyers, Choctaw by blood, Roll No. [illegible] it appears that Pearl Wyers is [illegible] being corroborated by Charles W. [illegible], both citizens of the Choctaw [illegible]

[illegible] as it appears from the affidavits above [illegible] Pearl Wyers is a male instead of a female [illegible] approved roll of Choctaws by blood opposite [illegible] it is recommended that the copies of the said roll [illegible] of the Department, this Office, and the [illegible] of the Superintendent for the Five Civilized Tribes

be corrected as to the sex of said Pearl Wyers by changing the letter "F" to the letter "M" opposite her name at No. 7913 of the approved roll above mentioned.

Respectfully,

E B Merritt

Assistant Commissioner.

DEC 12 1916

Approved as recommended;

First Assistant Secretary.

2712 Edgar B. Harper Choc

2712

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Edgar B. Harper as Choctaw; William W. Harper being sworn and examined by Com'r McKennon testifies:

William W. Harper, forty-four years old.

Q Are you the father of Edgar B. Harper? A Yes sir.

Q Who was admitted in this decree rendered by the United States Court at South McAlester August 24th, 1897, case number 7?

A Yes sir.

Q He is living is he? A Yes sir.

Q Where has he been living? A In the Territory. He was born in Sugar Lo af County, and was never out of the Territory I don't suppose a week in his life.

Q Living here continuously up to this time? A Yes sir.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify that the foregoing is a true and correct transcription of my stenographic notes.

M. D. Green

2713 Adam Wilkins Choc

2713

Empty

2714 Andrew J. Stacy choc

2714

IN RE

Application for Enrollment of

INFANT CHILD.

Wm. T. Blacy

As a citizen of the

Chocktaw Nation.

Approved June 16 1899

[signature] Commissioner.

R[illegible] 20

7-2714

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of William Falconer Stacy, born on the 15 day of August, 1897.

Name of father: Andrew J. Stacy, a citizen of the Choctaw Nation.

Name of mother: Susie E. Stacy, a citizen of the Choctaw Nation.

Post Office: Bokoshi, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, ... on oath, state that I am ..... years of age and a citizen, by ..... of the ..... Nation; that I am the lawful wife of ..... who is a citizen, by ....., of the ..... Nation; that a ..... child was born to me on the ..... day of ....., 1..... that said child has been named .....,
and is now living.

Mother deceased May 25/99 Andrew J. Stacy

Subscribed and sworn to before me this 15 day of June, 1899.

Mary E. Parks
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Geo E Hartshorne, a Physician, on oath, state that I attended on Mrs. Susie E Stacy, wife of Andrew J Stacy on the 15 day of August, 1897; that there was born to her on said date a male child; that said child is now living and is said to have been named William Falconer Stacy.

Geo E Hartshorne M.D.

Subscribed and sworn to before me this 15 day of June, 1899.

Mary E. Parks
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Julius V. Stacy

As a citizen of the

Choctaw Nation.

Approved June 14 1899

Commissioner.

7-2714

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Julias V. Stacy, born on the 21 day of Febuary, 1899.

Name of father: Andrew J Stacy, a citizen of the Choctaw Nation.

Name of mother: Susan E Stacy, a citizen of the Choctaw Nation.

Post Office: Bostock

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
_____ District.

I, _____, on oath, state that I am _____ years of age and a citizen, by _____, of the _____ Nation; that I am the lawful wife of _____ who is a citizen, by _____, of the _____ Nation; that a _____ child was born to me on the _____ day of _____, 1_____; that said child has been named _____, and is now living.

Subscribed and sworn to before me this _____ day of _____, 1_____.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Francis L Brock, a Physician, on oath, state that I attended on Mrs. Susan E Stacy, wife of A.J. Stacy on the 21 day of Feb 1899, 1____; that there was born to her on said date a boy child; that said child is now living and is said to have been named Julias V. Stacy.

Francis L Brock, M.D.

Subscribed and sworn to before me this 13 day of June, 1899.

John W Brock
Notary Public.

My com Expires Oct 24—1901

2715 David Anderson

Choc

2715

Choc. Roll 7924. COPY o.k.WHA.

Sans Bois County,
Choctaw Nation:

OFFICE OF COUNTY AND PROBATE COURT:

The Choctaw Nation,
to
Martha McGilberry, Greeting:

In the Probate Court of Sans Bois County, held of the First Monday of _____ A. D. 1903, at Kintah, I. T., the seat of justice of said county, you were appointed Guardian of the person and estate of Levicie Anderson, orphans of Dave Anderson, deceased, of said county.

Therefore you are empowered and required to fully and faithfully perform this trust, to ask, levy, recover and receive all the estate, real and personal, of your said ward, to render to our said court inventory thereof, as well as any and all annual or other accounts of the same, and to do all things connected with said trust, according to law and the orders and decrees of said court therein.

In witness whereof I have set my hand and affixed the seal of said County Office this 3rd day of August, A. D. 1903.

(signed) John W. Wyers,
County and Probate Clerk,
Sans Bois County, C. N.

SEAL:

-1-

Fred V. Kinkade being first dudy sworn on oath states that above and foregoing is a true, full and correct ~~true~~ copy of original which is now on file in Choctaw allotment jacket No. 7924 at the Choctaw Land Office.

Fred V Kinkade

Sworn to before me this October 7th 1903.

David Shelby
Notary Public.

Choc. Roll 7925. COPY o.k.WHA.

Sans Bois County,

Choctaw Nation.

OFFICE OF COUNTY AND PROBATE COURT:

THE CHOCTAW NATION TO TOM LUCE, GREETING:

In the Probate Court of Sans Bois County held on the First Monday of August, A. D. 1903, at Kinta, I. T., the seat of Justice of said County, you were appointed Guardian of the person and estate of Newman Anderson, orphans of Dave Anderson, deceased of said County.

Therefore you are empowered and required fully and faithfully to perform this trust, to ask, levy, recover and receive, all the estate, real and personal, of your said ward, to render to our said Court inventory thereof, as well as any and all annual or other accounts of the same, and to do all things connected with said Trust, according to law and the orders and decrees of said Court therein.

IN WITNESS WHEREOF I have set my hand and affixed the seal of the said County Office this 3 day of August, A. D. 1903.

(signed) J. W. WYERS,

SEAL: County and Probate Clerk, Sans Bois County, C.N.

Attest by Deputy:

H. L. Moore, Deputy Clerk,

Sans Bois County, C. N.

-1-

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of original now on file with the Commission, Choctaw Land Office at Atoka, in Choctaw allotment jacket No. 7925.

Fred V. Kinkade

Sworn to before me this 5th day of November, 1903.

Robt Shelby

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Newman Anderson

As a citizen of the

Choctaw Nation.

Approved June 15 1849

Commissioner.

7-2715

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Newman Anderson, born on the 3 day of April, 1899.

Name of father: David Anderson, a citizen of the Choctaw Nation.

Name of mother: Isabelle Anderson, a citizen of the Choctaw Nation.

Post Office: Iron Bridge, I.T.

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, David Anderson, on oath, state that I am 40 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Isabelle Anderson who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 3 day of April, 1899; that said child has been named Newman Anderson, and is now living.

Witness
P. F. Reuter

David his mark Anderson

Subscribed and sworn to before me this 15 day of June A.D., 1899.

[signature]
Commissioner ~~Notary Public~~.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ Neighbor.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Philip Byington, a ~~———~~, on oath, state that I ~~attended~~ know on Mrs. Isabelle Anderson wife of David Anderson that on the 3 day of April, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named Newman Anderson.

Philip his mark Byington

Subscribed and sworn to before me this 15 day of June A.D., 1899.

[signature]
Commissioner ~~Notary Public~~.

2716

missing

2716

2717 John W. Dodson choc

2717

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

- - - o - - -

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

JOHN W. DODSON. 7-2717

- o -

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHOCTAW LAND OFFICE.
Atoka, Indian Territory,
May 19, 1903.

Intermarried. -:- Card 7-2717.

In the matter of the application for the enrollment of John W. Dodson as a citizen by intermarriage of the Choctaw Nation.

-:-

John W. Dodson being sworn testifies as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name ? A John W. Dodson.
Q What is your age ? A About forty seven I believe -- I was born in 1855.
Q What is your post office address ? A Bennington, Indian Territory.
Q What Nation is that in ? A It is in the Choctaw Nation.
Q How long have you been a resident of the Choctaw Nation ? A About eighteen years now.
Q Have you lived there continuously for the past eighteen years ? A Yes, sir.
Q Are you an applicant for enrollment as an intermarried citizen of the Choctaw Nation ? A Yes, sir.
Q What is the name of your Choctaw wife ? A Emma Dodson.
Q What was her maiden name ? A Emma Stark.
Q When were you married to her ? A In 1885.
Q Where was this marriage ceremony preformed ? A Sans Bois.
Q Choctaw Nation ? A Yes, sir.
Q At that time were both you and your wife residents of the Choctaw Nation ? A Yes, sir.
Q Had you ever been married before you were married to her ? A No, sir.
Q Had she ever been married before she was married to you ? A No, sir.
Q Were you married under a Choctaw license ? A Yes, sir.
Q How much did you pay for that license ? A Five dollars -- that is all that the Judge required me to pay.
Q Who issued you that license ? A J. S. Farris County Judge.
Q Of what county ? A Sans Bois County.
Q Who preformed the marriage ceremony ? A Judge Farris the County Judge.
Q Where is your marriage license and certificate ? A It is with the Dawes Commission.
Q It is with the Commission now ? A Yes, sir.
Q Since your marriage to your Choctaw wife have you lived with her continuously ? A Yes, sir.
Q Up to the present time ? A Yes, sir; and are living together now.

Q During this time there has been no desertion, abandonment, or divorce ? A No, sir.
Q Are you and she now living together as husband and wife and as actual and bona fide resident of the Choctaw Nation.

-:-

Fred V. Kinkade being first duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the matter above referred to at Atoka, Indian Territory, May 19, 1903; that the above and foregoing transcript is a true, full and correct translation of his stenographic notes as taken in said cause on said date.

Fred V Kinkade

Subscribed and sworn to before me this May 25, 1903.

David Shelby
Notary Public

OFFICE OF

J. PIERCE THOMPSON,

County Clerk,

SANS BOIS COUNTY, C. N.

Oklahoma, [illegible] 1888

To any legally authorized person solemnized the [illegible] of matrimony by the authority [illegible] vested [illegible] solemnize this [illegible] of matrimony [illegible] J. H. Hodson a white man [illegible] who has complied with all the [illegible] of the [illegible] Choctaw [illegible] Miss [illegible] citizen of the Choctaw Nation and a resident of Sans Bois County. This is to certify that I have this day solemnized the marriage ceremony of [illegible] Miss Emma Clarke a citizen of the Choctaw Nation

Given under my [illegible] this the 3rd day of Oct. [illegible]

J. S. Pomes

County Judge of [illegible]

Sans Bois County

Witness J. Pierce Thompson

7-2717

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

- - - o - - -

In the matter of the application for the enrollment of John W. Dodson as a citizen by intermarriage of the Choctaw Nation.

-: D E C I S I O N :-

It appears from the census-card record in this case that John W. Dodson appeared before the Commission at Spiro, Indian Territory, June 14, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Atoka, Indian Territory, May 19, 1903.

It further appears from the record herein that John W. Dodson, on October 5, 1885, was married in accordance with the laws, customs and usages of the Choctaw Nation to Emma Dodson, (nee Stark) a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 7930 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that John W. Dodson should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

JAN 8 1904

COPY. 7-2717

Muskogee, Indian Territory, January 8, 1904.

John W. Dodson,

Bennington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered January 8, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.
Enc. 7-2717

COPY 7-2717

Muskogee, Indian Territory, January 8, 1904.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered January 8, 1904, granting the application of John W. Dodson, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling said John W. Dodson as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.
Enc. 7-2717.

IN RE

Application for Enrollment of

INFANT CHILD.

Elephalet Adair

As a citizen of the

Cherokee Nation.

Approved June 22 1899

Commissioner.

7-2917

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Emma Dodson born on the 28 day of may, 1868

Name of father: Thomas Starks, a citizen of the Choctaw Nation.

Name of mother: Celista Starks, a citizen of the Choctaw Nation.

Post Office: Stigler Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Emma Dodson, on oath, state that I am 31 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of John W Dodson who is a citizen, by Marriage, of the Choctaw Nation; that a Male child was born to me on the 27 day of July, 1897 that said child has been named Elisha Thomas Dodson and is now living.

Emma Dodson

Subscribed and sworn to before me this 17 day of June, 1899

J. S. Stigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. L. Lett, a Physician, on oath, state that I attended on Mrs. Emma Dodson wife of John W. Dodson on the 27 day of July, 1897; that there was born to her on said date a male child; that said child is now living and is said to have been named Elisha Thomas Dodson

W. L. Lett M.D

Subscribed and sworn to before me this 17 day of June, 1899

J. S. Stigler
Notary Public.

7-2117 ✓

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRI...
FILED
DEC 15 1902

ACTING CHAIRMAN.

C. C. McCLARD,

Groceries, Confectioneries, Ice and Cold Drinks

COUNTRY PRODUCE BOUGHT AND SOLD. NOTARY PUBLIC IN THE OFEICE.

Bennington. I. T. 12/5 1902

Dawes Cammittion

Kind Sir

this is to certify that I have examined Mr J. W. Dodson & find him so Badly afflicted with articular Rheumatism that he is not able to leave home

R. M. Parish

2nd Ter. }
Cen Dist. } before me C. C. McClard a Notary Public in and for the Cen. Dist. I. T. personally appeared Dr R. M. Parish who being duly Sworn States that the above certificate was true to the best of his knowlage and belief

C. C. McClard
Notary Public

Dec 5th 1902

7-2717

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Charlie Dodson

as a citizen of the

CHOCTAW Nation.

Approved, DEC 6 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 6 1900

ACTING CHAIRMAN.

CHOCTAW. 2717

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Charlie Dodson (Here insert name of child.), born on the 20 day of August, 1900

Name of Father: John W. Dodson, a citizen of the Choctaw Nation.

Name of Mother: Emma Dodson, a citizen of the Choctaw Nation.

Post-office, Bennington, I.T. now origenal Stigler I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Emma Dodson, on oath state that I am about 33 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of John W. Dodson, who is a citizen, by marriage, of the Choctaw Nation; that a male (male or female) child was born to me on the 20 day of August 1900; that said child has been named Charlie Dodson, and is now living.

WITNESSES TO MARK: Emma Dodson

(Must be Two Witnesses.)

Subscribed and sworn to before me this 24 *day of* October 1900.

C. C. McClard NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Mollie Dodson, a Midwife, on oath state that I attended on Mrs. Emma Dodson, wife of John W. Dodson, on the 20th day of August, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Charlie Dodson

WITNESSES TO MARK: Mollie her X mark Dodson

(Must be Two Witnesses) Ellie Maxwell
Chas. S. Lynch M.D.

Subscribed and sworn to before me this 1st *day of* December 1900.

Thos. W. Maxwell NOTARY PUBLIC.

Muskogee, Indian Territory, December 6, 1900.

John W. Dodson,

Bennington, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Charlie Dodson, the infant son of John W. and Emma Dodson, born August 20th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2717

Choctaw 2717

Muskogee, Indian Territory, April 30, 1902.

Frank Webster,

Matoy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, in which you desire to be advised if Mr. John Dotson's wife has been taken from the Choctaw roll.

The Commission is unable to understand the purpose of your inquiry or as to the character of information that you desire.

You are advised, however, that it appears from our record that Emma Dodson, 31 years of age, and the wife of John W. Dodson of Stigler, Indian Territory, has been duly listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been identified from the Choctaw tribal rolls and there is no objection or any contest entered on the part of the Choctaw Nation as to her final enrollment as a citizen of that tribe.

Yours truly,

Commissioner in Charge.

1

Choctaw 2717

Muskogee, Indian Territory, June 24, 1902.

Frank Webster,

Matoy, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, in which you ask if Emma Dodson, wife of John Dodson, is a Choctaw citizen.

You are advised that it appears from the records of this office that on June 14, 1899, Emma Dodson, 31 years of age, and the wife of John W. Dodson of Stigler, Indian Territory, was listed for enrollment by the Commission as a citizen by blood of the Choctaw Nation, having been identified from the 1896 census roll of the citizens of the Choctaw Nation as a resident of Skullyville County.

Yours truly,

Chootaw 8717

Muskogee, Indian Territory, October 18, 1902.

J. W. Dodson,

Bennington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, acknowledging receipt of the circular letter of the Commission of October 41, 1902, and stating that your postoffice address is now Bennington, Indian Territory, and that you will meet the Commission at Atoka.

The change of your postoffice address has been made a matter of record with this office.

Respectfully,

Acting Chairman.

Choctaw - 2717.

Muskogee, Indian Territory, February 27, 1903.

John W. Dodson,

Bennington, Indian Territory.

Dear Sir:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, providesas follows:

> "No person whose name does not appear upon the rolls as her in provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

2917

Choctaw 6883.

Muskogee, Indian Territory, March 27, 1903.

J. W. Dodson,

Bonnington, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 13, stating that it was impossible for you to appear before the Commission on account of illness, and asking that interrogatories be furnished you.

In reply to your letter you are advised that it appears from our records that J. W. Dodson was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 21, 1897, in court case, citizenship docket, Number 88. Subsequently the name of J. W. Dodson was stricken from the judgment by order of the court for the reason that it did not appear that he was an applicant to this Commission under the act of Congress of June 10, 1896.

The Commission has, therefore, no jurisdiction over this case and cannot receive additional testimony therein.

Respectfully,

Chairman.

Choctaw 2717

Muskogee, Indian Territory, April 15, 1903.

John W. Dodson,

Bennington, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 4, stating that the Commission's letter of March 27, 1903, must have referred to some other person as you are not a court citizen.

In reply to your letter you are advised that the information contained in our letter of March 27 refers to a J. W. Dodson, who was admitted to citizenship by a judgment of the United States Court in Indian Territory, and whose name was subsequently stricken from the judgment by order of the court.

It appears from our records that your wife and children, Emma, Sudie, Willie E., Elisha Thomas and Charlie Dodson, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and on January 17, 1903, their enrollment was approved by the Secretary of the Interior.

It further appears that you have been listed for enrollment as an intermarried citizen of the Choctaw Nation, but before your application can receive further consideration it will be necessary for you to appear before the Commission to testify relative to your intermarried status on September 25, 1902, the date of the final

J W D 2

ratification of the act of Congress of July 1, 1902, by the citizens of the Choctaw and Chickasaw Nations. This matter should receive your prompt attention.

For your information there is inclosed you herewith a copy of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

Rules for allotment.

Choctaw 2717

Muskogee, Indian Territory, May 20, 1903.

John W. Dodson,

Bennington, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 27, in which you state that up to this time you have been physically unable to appear before the Commission, but that your health has been improving slowly and you think that you may be able to reach Atoka in a short time if you would be permitted to meet the Commission there.

In reply to your letter you are advised that you will be permitted to appear before the Commission at Atoka, Indian Territory May 26, 1903, if your health is such that you can travel.

Respectfully,

Chairman.

2718 Adam Mckinney Choc

Bertha W. Mckinney Transferred from Choctaw D-765 Jan

Record as to enrollment of Bertha W. Mckinney forwarded Dept. March 14, 1906

Record returned see opinion of Assistant Attorney General of March 15, 1906 in case of Omer R. Nicholson

2718

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

Record in the matter of the application of Bertha W. McKinney for enrollment as a citizen by intermarriage of the Choctaw Nation.

7-D-765. 7-2718

D 765

Department of the Interior
Commission to the Five Civilized Tribes
Muskogee, I.T. July 25, 1902.

In the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of Bertha W. McKinney.

Applicant not represented by attorney.

Bertha W. McKinney being first duly sworn testifies as follows:

Examination by the Commission

Q What is your name? A Mrs. J. M. McKinney.
Q What is your full name? A Bertha Whitehead was my maiden name.
Q How old are you? A Thirty-five, I will be the 7th day of August.
Q What is your post office address? A Goodwater, Indian Territory.
Q How long have you lived in Indian Territory? A Three years the first day of September.
Q You lived there continuously for the past three years, in the Choctaw Nation? A I spent two weeks last Summer in Texarkana on my vacation, I am a government teacher.
Q Where did you live before your residence in the Choctaw Nation? A Two years in the Kiowa and Commanche country.
Q Where was you born? A Twenty miles South of St Louis.
Q Always lived in the United States? A Yes, sir.
Q What is your father's name? A George E. Whitehead.
Q Father living? A No, sir; he died when I was a child.
Q What is your mother's name? A Anna Mariah Whitehead.
Q Is your mother living? A No, sir; she died when I was about fifteen years old.
Q Your parents were both white persons? A Yes, sir.
Q Citizens of the United States? A Yes, sir.
Q Did either of your parents during their life time ever make claim to citizenship by blood in any tribe of Indians? A No, sir.
Q Did either of them ever receive any payments of money as members of any tribe of Indians? A No, sir.
Q You are a white woman? A Yes, sir.
Q Citizen of the United States? A Yes, sir.
Q Have you ever made any claim to citizenship by blood in any tribe of Indians? A No, sir.
Q Ever been recognized as a member by blood of any tribe of Indians? A No, sir.
Q Ever receive any payments of money as a member of any tribe of Indians? A No, sir.
Q You are an applicant to this Commission at this time for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes, sir.
Q What is the name of your Choctaw husband? A Adam McKinney
Q Is he a full blood Choctaw Indian? A Yes, sir.
Q Always lived in the Choctaw Nation? A Yes, sir.

Q How old is he? A I don't know.

The name of the applicants husband appears upon the records of the Commission on Choctaw Roll card field number 2718, as a full blood Choctaw Indian having been so listed by the Commission on June 14, 1899, upon his identification from the 1896 census roll of the Choctaw Nation as a resident of San Bois County.

Q When was you married to Adam McKinney? A I was married the 23rd day of this month.
Q Of July? A Yes, sir.
Q 1902? A Yes, sir.
Q Where were you married? A At Fort Smith.
Q Arkansas? A Yes, Arkansas.
Q Who married you? A Reverend R. S. Keam, a white Missionary to the Choctaws appointed by the Home Missionary Board.
Q Married under a license? A Yes, sir.
Q Where did you obtain the license? A At the Court House in Fort Smith.

The applicant here offers in evidence, there is marked exhibit "A", filed, and made a part of the record in this application the marriage license issued by the clerk of the County Court of Sebastian County, Arkansas to Adam McKinney of Whitefield, Choctaw Nation, Indian Territory to marry Miss. Bertha Whitehead of Goodwater, Choctaw Nation, Indian Territory, the same being dated July 23, 1902, and attached thereto being the certificate of Samuel R. Keam as to the marriage of Adam McKinney and Bertha Whitehead, July 23, 1902; said marriage license and certificate being recorded on July 23, 1902, at page 104, Book "H" of the marriage record of Sebastian County, Arkansas.

There is also offered in evidence, filed, marked exhibit "B", and made a part of the record in this application the certificate of Rev. S. R. Keam, as to the marriage of Adam McKinney and Miss. Bertha Whitehead dated July 23rd 1902.

Q Was you ever married before you married Adam McKinney? A No, sir.
Q Was he ever married before he married you? A Yes, sir.
Q You know how many times? A No, sir.
Q At the time of the contracting of this marriage with you did he have any living wife from whom he not been divorced? A No, sir.
Q Is the marriage performed under this license issued July 23, 1902, the only ceremony that was ever performed between you and Adam McKinney? A Yes, sir.
Q You intend to now make your home in the Choctaw Nation with Adam McKinney? A Yes, sir.
Q He lives at Whitefield Indian Territory? A Yes, sir.
Q That will be your post office address? A Yes, sir.

In connection with your application I desire to read to you section 54 of an agreement between the United States and the Choctaw and Chickasaw Nations as ratified by an act of Congress approved July 1, 1902, and now pending ratification by these two tribes, the Choctaw and Chickasaw Nations:

#3

"During the ninety days first following the date of the final ratification of this agreement the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days: Provided, That nothing in this section shall apply to any person or persons making application for enrollment as Mississippi Choctaws, for whom provision has herein otherwise been made."

Witness excused.....

Adam McKinney called as a witness, first duly sworn, testifies as follows:

Examination by the Commission

Q What is your name? A Adam McKinney.
Q How old are you? A Forty.
Q What is your post office address? A Whitefield.
Q You are a citizen by blood of the ChoctawNation? A Yes, sir.
Q Are you the husband of this applicant Bertha W. McKinney? A
A Yes, sir.
Q How long have you known her? A I could not tell you--six months
Q You say you have known her six months? A Yes, sir.
Q Live in the Choctaw Nation all that time? A Yes, sir.
Q When were you married to her? A The 23rd day of July, of this month, 1902.
Q Only been married two days then? A Yes,,sir.
Q Your intention to live with this woman at your home in the Choctaw Nation? A Yes, sir.

Witness excused.....

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cause on July 25, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date of July 1902.

G Rosenwinkel

Subscribed and sworn to before me this 20 day of August 1902.

Guy L. V. Emerson
Notary Public.

Department of the Interior
Commission to the Five Civilized Tribes
Wister I T December 15th 1902

Choctaw D-765
Intermarried

---------oOo--------

In the matter of the application of Bertha W. McKinney for enrollment as an intermarried citizen of the Choctaw Nation.

Bertha W. McKinney being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Bertha W. McKinney.
Q What is your age? A Thirty-five.
Q What is your post office address? A At the present it is McCurtain.
Q How long have you been a resident of the Choctaw Nation?
A The officials at Washington sent me here three years ago the 1st of September, as a teacher.
Q Have you taught here ever since? A Ever since, yes sir.
Q What was your home before you came to the Nation? A St. Louis.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Adam McKinney.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir, as far as I know.
Q Have his rights to enrollment ever been disputed? A Not that I know of.
Q When were you married to Adam McKinney? A 23rd day of July, at Fort Smith.
Q This year? A Yes sir, by the Rev. R. S. Keen, missionary to the Choctaws.
Q At the time of this marriage were you living in Arkansas?
A No sir, living in the Choctaw Nation. I went out there to see a doctor. I was sick at the time.
Q Since your marriage to Adam McKinney have you lived together continuously as husband and wife up to the present time? A No sir, I haven't seen Mr. McKinney since the last day of August. I have a letter here from him dated August 8, but I haven't seen him since August 1st.
Q Have you separated? A No sir, I haven't. I answered his letter and told him I expected to live with him and he never answered it, and he sent word he was going to change his post office from Whitefield and for me not to write any more.
Q When did Mr. McKinney leave you? A He left me at Fort Smith and I expected to go on to McCurtain and I did go to McCurtain. The letter will show you there that it was forwarded from Fort Smith to McCurtain where I was living without any money, and I wrote to

the government and they gave me the school at McCurtain and I am teaching now.

Q Did he leave you immediately after your marriage? A No sir, he didn't leave me until we - - - we were married the 23rd and he went on out the last day of August to interpret for this Rev. Keen and they just wrote me this letter, and he left in good humor and he took what money I had.

Q Well, at the time he left you did you consider it as a separation? A No sir.

Q Had there been any trouble of any kind between you? A No sir.

Q You have only heard from him once since he left? A This letter, yes sir.

Q Is there any intention upon your part to live together again as husband and wife? A Yes sir.

Q Where is your husband now? A The Rev. R. S. Keen wrote me that they would be at Chehoka chapel the 12th day of this month and for me to try to come out there; that he thought Mr. McKinney would be all right, and I wrote him I was coming here.

Q He is traveling with this missionary is he? A Yes sir, he is interpreter.

Q Does Mr. McKinney contribute to your support? A Not a cent, no sir. He took what money I had.

Q You are at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.

Q Intend to make this your permanent home? A Yes sir.

- - - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Dommission to the Five Civilized Tribeshe reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles N. Sawyer

Notary Public.

Marriage License

Mr. Adam McKinney

TO

Miss Bertha Whitehead

NOTE—This License, with Certificate duly executed and officially signed, must be returned to the office from whence it was issued within sixty days from the date of License, under penalty of forfeiture of the Bond. No minister of the Gospel is authorized to solemnize the rites of matrimony until he shall have his license or credentials recorded in some county in the State. He should then fill out the above blank certificate.

Filed for record this 23 day

of July 1902

Ingram, Clerk.

By D. C.

ELEVATOR PRESS, FORT SMITH, ARK.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS,
COUNTY OF SEBASTIAN
FORT SMITH DISTRICT

I, T. N. REED, Clerk of the County Court of said county, certify that the above license for and certificate of marriage of Mr Adam McKinney and Miss Bertha Whitefield were on the 23rd day of July 1902, filed in my office and the same are now duly recorded on page 104 of Book H of Marriage Records.

Witness my hand and the Seal of said County, this 23 day of July 1902

T. N. Reed, Clerk.

By ..... D. C.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 25 1902
Acting Chairman.

Exhibit A.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS,
COUNTY OF SEBASTIAN
FORT SMITH DISTRICT

I, T. N. REED, Clerk of the County Court of said county, certify that the above license for and certificate of marriage of Mr Adam McKinney and Miss Bertha Whitefield were on the 23rd day of Dec 1902, filed in my office and the same are now duly recorded on page 104 of Book H of Marriage Records.

Witness my hand and the Seal of said County, this 23 day of Dec 1902

T. N. Reed, Clerk.

By , D. C.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 25 1902
ACTING CHAIRMAN

Exhibit A.

Marriage License

STATE OF ARKANSAS
COUNTY OF SEBASTIAN
FORT SMITH DISTRICT

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the right and publish the bans of Matrimony between Mr. Adam McKinney of Whitefield in the ~~County of~~ Choctaw Nation ~~State of~~ Ind Ter aged 40 years, and Miss Bertha Whitehead of Goodwater in the ~~County of~~ Choctaw Nation ~~State of~~ Ind Ter aged 35 years, according to Law, and do you officially sign and return this License to the parties herein named.

Witness my hand and official Seal this 23rd day of July 1902

[illegible]
COUNTY CLERK

BY
DEPUTY CLERK

Certificate of Marriage

STATE OF ARKANSAS
County of Sebastian

I, Rev S. R. Keaun, do hereby certify that on the 23 day of July 1902. I did, duly and according to Law, as commanded in the foregoing License, solemnize the right and publish the bans of Matrimony between the parties therein named.

Witness my hand this 23 day of July 1902

Samuel R. Keaun

My credentials are recorded in Recorder's Office Ft. Smith Sebastian County, Ark.

809-8 & B Sh.

Fed Smith

Exhibit B.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 25 1902

ACTING CHAIRMAN.

This certifies that Adam McKinney of Whitefield I.T. and Miss Bertha Whitehead of Goodwater I.T. were united in marriage by me according to the ordinance of God and the laws of Arkansas &c at Ft. Smith Ark this the 23rd day of July 1902

Rev. S. R. Kean
My credentials are recorded
at Ft. Smith
Sebastian Co.
Ark

Witness
Cora Riggs
Miss Isabelle Kennedy

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 1902

ACTING Chairman.

C O P Y.

Aug. 4, 1902.

Mrs. Betha McKinny,

Port Smith.

My dear wife:

I have your letter received. I understend that if i dont want you you was going to teach scheoll again, that is all rite. I just cant live with you and be setisfrete (satisfied) at all, but I do not think of hardness of you at tall. I pray to you that if we could compremise the metter (matter) and get ot (out) luse (loose) from each other, that is if we warnt to be christian worker. I will love you in the spitul (spiritual) love but I can (can't?) love in fleshly love. I am very sory that I marie my mind is offly satert (saddened) I cant be still a nuff to study they Bile (Bible). if we was in preflige at a cengle person. I never sedisfds (satisfied) when I was single.

they Box was received but I do not know how to do about it keep it or cent (send) it back or not. you write to me once more. I pray god to blessing you

close for this

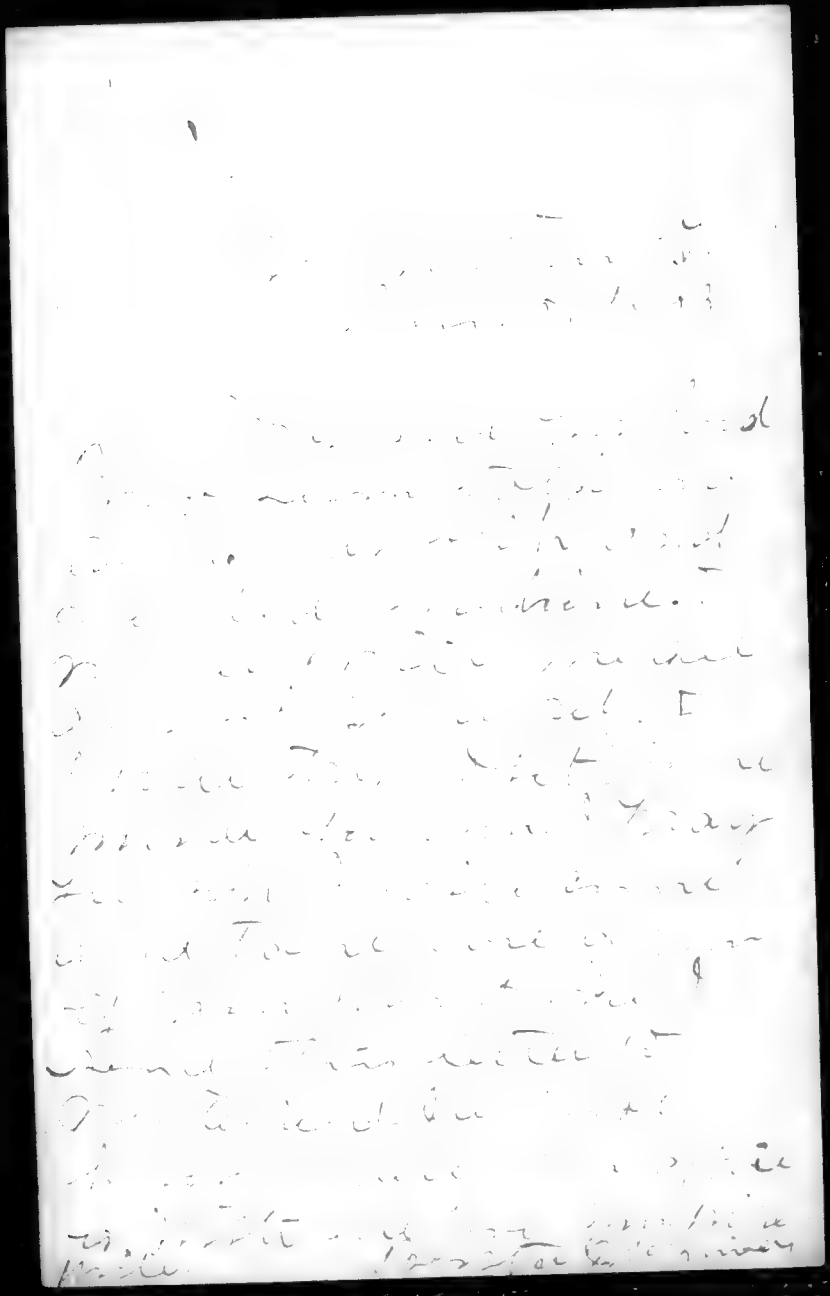
Yoer husband

Adam McKinney

Box 43.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 27 1903

ACTING CHAIRMAN.



7-D-765.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Bertha W. McKinney for enrollment as a citizen by intermarriage of the Choctaw Nation

------:------:------

It appears from the record herein, that on July 25, 1902, at Muskogee, Indian Territory, the applicant, Bertha W. McKinney, made original application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation.

Further proceedings were had in the matter of said application, at Wister, Indian Territory, on December 15, 1902.

It further appears from the record herein that on July 23, 1902, the applicant was lawfully married to Adam McKinney, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7935 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat. 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior, January 17, 1903. That at the time of said marriage both the persons above mentioned were residents in good faith of the Choctaw Nation, and lived together as husband and wife until about the first day of August, 1902, when they separated but were not divorced. That the applicant has been a resident in good faith of the Choctaw Nation since the date of her marriage on July 23, 1902, up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Bertha W. McKinney should be enrolled as a citizen by

intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stat. 495) and July 1, 1902 (32 Stat. 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JAN 12 1905

Choctaw D 765

COPY.

Muskogee, Indian Territory, January 12, 1905.

Bertha W. McKinney,

Stringtown, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 12, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

WRONGLY

Tams Bixby

Registered. Chairman.

Incl. 7-D-765.

COPY.

Choctaw D 765

Muskogee, Indian Territory, January 12, 1905.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 12, 1905, rendered its decision granting the application for the enrollment of Bertha W. McKinney as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Choctaw D 765

COPY.

Muskogee, Indian Territory, January 12, 1905

W. P. Stewart,

Attorney at Law,

Antlers, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 12, 1905, rendered its decision granting the application for the enrollment of Bertha W. McKinney as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Choctaw D 765

COPY.

Muskogee, Indian Territory, January 12, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered January 12, 1905, granting the application for the enrollment of Bertha W. McKinney as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-D-765.

See Choctaw D 800 for registry receipt for this letter.

UNITED STATES OF AMERICA

POSTAGE ONE CENT

POSTAL CARD.

COMMISSION
DEPAR

Mrs Bertha McKinney
McCurtain
Ind Ter

71 Smith Ave
Jan 2nd 1903

Dear Mrs McKinney

I returned on the 30th of Dec - During the time at Sans Bois I never went to the P.O. - nor wrote even to friends -

I wish you a happy New Year and a long useful happy life

Bro Pindhurst did not get up -

Mr McKinney was at the meeting but was not able to interpret - I think he will not interpret after April - He is quite poorly and a sprained ankle - He looks very feeble - I delivered your message to Bro Bond -

Yours fraternally

S. R. Kean

1903 JAN 19 1903

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
JAN 1903

ACTING CHAIRMAN.

[illegible] 12 – 1903

Mrs Betha McKinney
McCurtain [illegible]

Dear wife

you letter was come to [illegible]
[illegible] to read it I did not know
where you was
I am very eflicied with lung
truble and rhumatis I cant
walk with out crouteh
I told Bro Kenn that I [illegible] quit
using medicine but he to[illegible]
me to not to be sead dont
fail to take medicine
you husband
Adam McKinney
[illegible]

Box 43 I T

D.S.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY.
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON J. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, June 24, 1902.

C. J. Prudhomme,

Goodwater, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, in which you ask to be advised if a Choctaw Indian marries a white woman outside the Choctaw country, is the marriage legal and can the wife be enrolled as a citizen of the Choctaw Nation.

You are advised that the Commission cannot render opinions upon hypothetical questions of enrollment, but can only determine the rights of an individual to enrollment upon personal appearance before the Commission for the purpose of examination under oath, and a consideration of such testimony as may be offered .

If the person in whose behalf you desire this information, wishes to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, she will be heard upon her personal appearance at the office of the Commission in Muskogee, Indian Territory, prior to the date to be fixed or agreed upon terminating the time within which the Commission can receive applications of this character. If she anticipates making such

Choctaw D 765

Muskogee, Indian Territory, September 4, 1902.

Mrs. Bertha W. McKinney,
McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of August 29, 1902, enclosing a copy of a letter from your husband, Adam McKinney under date of August 4, 1902.

In accordance with your request the copy of the letter submitted by you is returned herewith, a copy thereof having been made and placed in our records.

The Commission cannot render you any upon upon your right to enrollment as a citizen by intermarriage of the Choctaw Nation at this time but when your case is taken up for final decision you will be advised of the action taken by the Commission and of the forwarding of the record in the case to the Secretary of the Interior for his review.

Yours truly,

Acting Chairman.

Enc Y 131

Choctaw D 765

Muskogee, Indian Territory, November 3, 1902.

Bertha Whitehead McKinney,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of October 29, 1902, relative to circular letter of the Commission of October 4, 1902, received by you and in which you desire to be advised if it is necessary for you to again appear before the Commission.

In reply to your letter you are advised that it appears from our records that on July 25, 1902, Bertha W. McKinney, appeared before this Commission and made application for enrollment as a citizen by intermarriage of the Choctaw Nation.

There was ratified on September 25, 1902, by the citizens of the Choctaw and Chickasaw Nations, an agreement closing the rolls of the citizens of the Choctaw and Chickasaw Nations on that date.

The rolls as now being made by this Commission of the citizens of these two tribes will be as of September 25, 1902 and it will be necessary that the Commission ascertain the status of all applicants for enrollment as intermarried citizens on the date of the final ratification of such agreement.

B W McK 2

It will therefore be necessary that you personally present yourself before the Commission at one of the appointments specified in the circular referred to by you in order that your status as an intermarried citizen of the Choctaw Nation on September 25, 1902, may be determined.

Respectfully,

Acting Chairman.

Choctaw D 765

Muskogee, Indian Territory, November 16, 1902.

Bertha W. McKinney,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter without date, in which you state that you will appear before the Commission at Wister or South McAlester, Indian Territory.

In reply to your letter you are advised that representatives of the Commission will be at Wister, Choctaw Nation, December 15th to 19th, 1902, inclusive and at South McAlester, Indian Territory, from December 22nd to 24th, 1902, inclusive, and you can appear before the Commission at whichever of these appointments is more convenient to you.

Respectfully,

Acting Chairman.

Choctaw D-765.

Muskogee, Indian Territory, January 29, 1903.

Bertha McKinney,

McCurtain, Indian Territory.

Dear Madame:

Receipt is hereby acknowledged of your letter of January 8th, enclosing a copy of a letter recently written by you to your husband, Adam McKinney, and a postal card received by you from S. R. Keam, and stating that you have had no hard words with your husband.

In reply to your letter you are advised that the information contained therein has been made a matter of record with the Commission.

Respectfully,

Acting Chairman.

Choctaw-D-765.

Muskogee, Indian Territory, January 31, 1903.

Bertha W. McKinney,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of a letter written by your husband, Adam McKinney, of date January 13, 1903, which you offer in evidence in support of your application for enrollment as an intermarried citizen of the Choctaw Nation, and the same has been filed with the record in your case.

Respectfully,

Acting Chairman.

Choctaw D 765

Muskogee, Indian Territory, February 10, 1903.

T. B. McMurray,

Shawneetown, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 3, asking if Mrs. Bertha W. McKinney is enrolled as a Choctaw citizen, and in reply you are advised that it appears from our records that Bertha W. McKinney has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and her final right to such enrollment has not yet been determined.

Respectfully,

Acting Chairman.

Choctaw D 765

Muskogee, Indian Territory, May 8, 1903.

Mrs. P. W. McKinney,

McCurtain, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 28, asking that your name be not published with the names of other rejected citizens by intermarriage of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-D-765

Muskogee, Indian Territory, May 16, 1903.

Mrs. Bertha McKiney,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 10, relative to your case as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Bertha W. McKinney has been listed by this Commission among the doubtful claimants to enrollment as a citizen by intermarriage of the Choctaw Nation, but her final right to enrollment has not yet been determined. As soon as a decision is reached inthis case you will be notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

Choctaw D 766

Muskogee, Indian Territory, May 20, 1903.

Mrs. B. W. McKinney,

Fort Smith, Arkansas,

Dear Madam:

Receipt is hereby acknowledged of your letter of May 16th, relative to your enrollment as an intermarried citizen of the Choctaw Nation, giving reasons why you think you should be enrolled.

You are informed that as soon as a decision is reached in your case you will be notified of the action of the Commission.

Respectfully,

Chairman.

Choctaw D765

Muskogee, Indian Territory, September 2, 1903.

Bertha Whitehead McKinney,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of August 26, 1903, relative to your right to enrollment as an intermarried citizen of the Choctaw Nation, and stating that your post office in the future will be Stringtown, Indian Territory.

You are informed that no decision has yet been reached relative to your right to enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is rendered you will be notified of the action of the Commission. The change in your post office address has been made a matter of record.

The recorder's receipt from DeSoto Commandery, No 56 K.T. for four dollars is returned you herewith.

Respectfully,

Commissioner in Charge.

AB 1-2

Choctaw D - 765.
Choctaw 2718.

Muskogee, Indian Territory, November 10, 1903.

Bertha Whitehead McKinney,

Stringtown, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of November 2nd, in which you ask if the Commission can hold back enough of Adam McKinney's tribal money to pay you three hundred and seventy-four dollars and ninety-six cents that you expended during the late illness of your husband, Adam McKinney.

In reply to your letter you are informed that on October 5th, 1903, Joseph Jackson, of Kintah, Indian Territory, was appointed administrator of the estate of Adam McKinney, deceased. If you have any claims against the estate of the said Adam McKinney you should present the same to his administrator.

Respectfully,

Chairman.

Choctaw-D-765

Muskogee, Indian Territory, January 2, 1904.

Bertha W. McKinney,

Stringtom, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 25, 1903, relative to a claim made by Joseph Jackson, administrator of the estate of Adam McKinney; that the estate is not sufficient to pay the debts, which leaves all your receipts unpaid.

In reply to your letter you are informed that this is a matter which does not come within the jurisdiction of the Commission and it is therefore impracticable to give you any information on this subject.

Respectfully,

Chairman.

Choctaw-D-765.

Muskogee, Indian Territory, June 17, 1904.

Bertha W. McKinney,

Stringtown, Indian Territory.

Dear Madam;

Receipt is hereby acknowledged of your letter of June 3rd, relative to your right to enrollment as an intermarried citizen of the Choctaw Nation, stating that your address for the summer will be Stringtown, Indian Territory.

In reply to your letter, you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw nation; but will as early as practicable take up the same for consideration and determination and as soon as a decision is reached in this case you will be notified of the action taken therein. Proper notation has been made of your post office address.

Respectfully,

Chairman.

7-D-705

Muskogee, Indian Territory, November 15, 1904.

W. P. Stewart,
Attorney at Law.
Antlers, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 11, 1904, asking the status of the application of Bertha McKinney, wife of Thompson McKinney, for enrollment as a citizen of the Choctaw Nation.

In reply to your letter you are informed that it does not appear from our records that any person by the name of Thompson McKinney is an applicant for enrollment as a citizen of the Choctaw Nation. It does appear, however, that Bertha W. McKinney, wife of Adam McKinney, and daughter of George E. and Ann M. Whitehead is an applicant to the Commission for enrollment as an intermarried citizen of the Choctaw Nation, but the Commission has not yet passed upon her case.

If this is not the Bertha McKinney referred to by you and you will furnish further information as to Thompson McKinney which will enable [redacted] to identify him upon our records the matter of your inquiry will receive further consideration.

Respectfully,

Chairman.

7-D-765

Muskogee, Indian Territory, November 25, 1904.

McKennon & Dean,

Attorneys at Law.

_____ McAlester, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of November 22, 1904, asking that your firm be entered as Attorneys of record in the matter of the application of Bertha W. McKinney for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that your request has been made a matter of record.

Respectfully,

Commissioner in Charge.

7-2718

Muskogee, Indian Territory, February 15, 1905.

D. S. Kennedy, Postmaster,

Stringtown, Indian Territory.

Dear Sir:

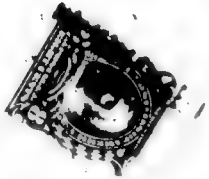
Receipt is hereby acknowledged of your letter of February 11, 1905, returning a registered letter addressed to Bertha W. McKinney with the information that she has removed from Stringtown, and her present whereabouts is unknown.

You have the thanks of the Commission for your attention in this matter.

Respectfully,

Chairman.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOCEE, IND. TER.



4 W. O. B.

COMMISSIONERS:
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Choctaw D 765

Muskogee, Indian Territory, January 12, 1905.

Bertha W. McKinney,

Stringtown, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 12, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Incl. 7-D-765.

C J P s

application, it is advisable that she do so as early as practicable.

Yours truly,

Commissioner in Charge.

2719 Letha Smith Choc

2719

Empty

2720 JOSEPH R. COX

choc

2720

7-2720.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory July 26, 1904.

In the matter of the application for the enrollment of Rebecca A. Cox as a citizen by intermarriage of the Choctaw Nation.

Rebecca A. Cox being first duly sworn testifies as follows:

Examination by the Commission:

Q What is your name? A Rebecca A. Cox.
Q What is your post office address? A Melton.
Q Choctaw Nation? A Yes, sir.
Q Are you a white woman? A Yes, sir.
Q You claim no right as a citizen by blood? A No, sir.
Q You claim as a citizen by intermarriage? A Yes, sir.
Q How old are you? A Twenty-five.
Q Through whom do you claim your rights? A Joseph R. Cox.
Q Is he a Choctaw Indian? A Yes, sir.

Joseph R. Cox through whom the applicant claims is identified on Choctaw card #2720 and is numbered 7838 upon the lists prepared by this Commission and approved by the Secretary of the Interior January 17, 1903.

Q Was he your first husband? A Yes, sir.
Q Are you his first wife? A Yes, sir.
Q When were you married to him? A August 12, 1894.
Q By whom were you married? A P. C. Atkins.
Q What was he? A Minister of the Gospel; Methodist preacher.
Q Where were you xx living at the tike of your marriage to Joseph R. Cox? A Five miles from Melton.
Q In the Choctaw Nation? A Yes, sir.
Q Where was he living? A He was living there too.
Q You were both bona fide residents of the Choctaw Nation at the time of your marriage? A Yes, sir.
Q Did you and he live together as husband and wife? A Yes, sir.
Q How long did you and he live together as husband and wife? A Nine years.
Q You both lived in the Choctaw Nation? A Yes, sir, never been out of it.
Q When did he die? A February 5, 1903.
Q Have you got any children by him? A Yes, sir, three.
Q Charles, John and Mary? A Yes, sir.
Q What was your maiden name? A Bush.
Q This is your marriage license and certificate? A Yes, sir, we sent it up here one year ago.
Q You are sure that P. C. Atkins was a minister of the gospel? A. Yes, sir.
Q Where was this P. C. Atkins a minister of the Gospel? A At Bokoshe.

Witness excused.

Chas. T. Difendafer being first duly sworn states that

the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. T. Defendafer

Subscribed and swornto before me this 26th day of July 1904.

Charles Hetherington

Notary Public.

Commission to the Five Civi lized Tribes,

Red Oak, Indian Territory.

In enrollment of Rebecca A. Cox as intermarried Choctaw;

Joseph R. Cox being sworn and examined by Com'r McKennon testifies

Joseph R. Cox 22 years old.

Q You are a citizen of the Choctaw Nation by blood? A Yessir

Q Your wife, Rebecca A., is a white woman? A Yes sir

Q Were you laefully married to her? A Yes sir

Q Where? A At Shake Rag, Skullyville County, Choctaw Nation

Q By whom? A Parson Atkins. A Minister of the Gospel.

Q When? A August 12th, 1894.

Q Is she still living with you? A Yes sir.

David Folsom being sworn and examined testifies:

David Folsom, twenty-nine years old.

Q Are you acquainted with Jospeh R. Cox? A Yes sir

Q Do you know his wife Rebecca A.? A Yes sir

Q He is a citizen by blood of the Choctaw Nation? A Yessir

Q And she is a white woman? A Yes sir.

Q Were you present at their marriage? A Yes sir.

Q You saw them married? A Yes sir

Q Who married them? A Parson Atkins.

Q In the Choctaw Nation? A Yes sir .

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission that this transcript is a true and correct translation of my stenographic notes.

M D Green

7-2720.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Rebecca A. Cox as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the census card record in this case that on June 19, 1899, the applicant herein appeared before the Commission and made application for her enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings in the matter of this application were had at Muskogee, Indian Territory, on July 26, 1904.

It further appears from the record herein that on August 12, 1894, the applicant was lawfully married to Joseph R. Cox, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 7939 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior, January 17, 1903; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously as husband and wife from the date of their marriage up to and including September 25, 1902, as bona fide residents of the Choctaw Nation.

It is, therefore, the opinion of this Commission that Rebecca A. Cox should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

JAN 14 1905

Muskogee, Indian Territory.

Commissioner.

Choctaw 2720.

COPY.

Muskogee, Indian Territory, January 14, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered January 14, 1905, granting the application for the enrollment of Rebecca A. Cox as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-2720.

See Choctaw 5700 for registry receipt for this letter.

Choctaw 2720.

COPY

Muskogee, Indian Territory, January 14, 1905.

Rebecca A. Cox,

Milton, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 14, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

CNED

Tams Bixby

Chairman.

Registered.

Incl. 7-2720.

Euchd 143

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Mary Melzora Cox

as a citizen of

Choctaw Nation.

Approved SEP 10 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 10 1902

CHOCTAW.
2720

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Mary Melzona Cox (Here insert name of child), born on the 26 day of April, 1902.

Name of Father: Joseph R. Cox a citizen of the Choctaw Nation.

Name of Mother: Rebecca A. Cox a citizen of the Choctaw Nation.

Post-office Panther, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, Rebecca A. Cox, on oath state that I am 23 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Joseph R. Cox, who is a citizen, by Blood, of the Choctaw Nation; that a girl (male or female) child was born to me on 26 day of April 1902; that said child has been named Mary Melzona Cox, and is now living.

Rebecca A. her x mark Cox.

WITNESSES TO MARK:
(Must be Two Witnesses) B. F. Daugherty
Leuthy C. Cox

Subscribed and sworn to before me this 12 *day of* August 1902.

My commission expires Mar. 15, 1905

J. L. Lewis
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Joseph R Cox, husband, on oath state that I attended my wife Rebecca A. Cox, wife of Joseph R. Cox on the 26 day of April, 1902; that there was born to her on said date a girl (male or female) child; that said child is now living and is said to have been named Mary Melzona Cox

Joseph R. Cox
McCurtain, I.T.

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 6 *day of* Sept, 1902

My commission expires Mar. 15, 1905

J. L. Lewis
NOTARY PUBLIC

Milton, I.T.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JAN 31 1903

ACTING CHAIRMAN.

This is to certify that on the 12th day of Aug. 1894. I did solemnize the rights of Matrimony between Joseph R. Cox & Rebecca Bush according to the then existing laws of the Chactawhatton

J. C. Atkins

IN RE

Application for Enrollment of

INFANT CHILD.

John Cox.

As a citizen of the

Choctaw Nation.

Approved June 19 1899

Commissioner.

7— 2720.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of John Cox born on the 13 day of Feby, 1898.

Name of father: Joseph R Cox, a citizen of the Choctaw Nation.

Name of mother: Rebecca A. Cox, a citizen of the Choctaw Nation.

Post Office: Milton, Ind, Ty,

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I Rebecca A. Cox, on oath, state that I am 21 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Joseph R. Cox who is a citizen, by Blood, of the Choctaw Nation; that a boy child was born to me on the 13th day of Febry, 1898; that said child has been named John, and is now living.

Rebecca A (her X mark) Cox

R. P. Robbins witness

Subscribed and sworn to before me this 17 day of June, 1899.

J. F. Lewis
Notary Public.

Com. Exp. 1st Apr 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, H. C. Hunt, a Physician on oath, state that I attended on Mrs. Rebecca A Cox, wife of Joseph R. Cox on the 13 day of Febry, 1898; that there was born to her on said date a boy child; that said child is now living and is said to have been named John.

H. C. Hunt

Subscribed and sworn to before me this 17 day of June, 1899.

J. F. Lewis
Notary Public.

7-2730.

Muskogee, Indian Territory, August 16, 1902.

Joseph R. Cox,

Panther, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Mary Melsona Cox, infant daughter of Joseph R. and Rebecca A. Cox, born April 26, 1902; and the same is returned to you herewith.

You are informed that it will be necessary that the Commission be supplied with the affidavit of the person who attended on Rebecca A. Cox at the birth of this child, the affidavit of Bud Cox not being such as is required by the rules of this Commission in matters of this kind.

In order to assist in this matter, a blank for the purpose of making a new application for the enrollment of this child is enclosed you herewith. Upon return of the same properly executed, the matter will receive further consideration.

Yours truly,

Enc. B.I. 143.

Acting Chairman.

7-2720

Muskogee, Indian Territory, September 10, 1902.

Joseph R. Cox,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Mary Melsona Cox, infant daughter of Joseph R. and Rebecca A. Cox, born April 26, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2720.

Muskogee, Indian Territory, February 3, 1903.

Joseph R. Cox,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th inst., enclosing the certificate of marriage between yourself and Rebecca Bush, and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Rebecca A. Cox as an intermarried citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

Choctaw - 2720.

Muskogee, Indian Territory, February 27, 1903.

Rebecca A. Cox,

Panther, Indian Territory.

Dear [redacted]:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides as follows:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

2/27/03.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Choctaw - 2720.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 27, 1903.

Rebecca A. Cox,

Panther, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides as follows:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 15, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

7-2730

Muskogee, Indian Territory, October 9, 1903.

Rebecca A. Cox,

c/o Joseph R. Cox,

McCurtain, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you were advised on February 27, 1903 that it would be necessary for you to appear in person before the Commission to testify relative to your status as an intermarried citizen of the Choctaw Nation on September 25, 1902.

You are again informed that before further consideration can be given to your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear in person before the Commission at its office at Muskogee, Indian Territory, there to give testimony concerning your intermarried status.

This matter should receive your immediate attention.

Respectfully,

Chairman.

7-7720.

Muskogee, Indian Territory, April 9, 1904.

Rebecca A. Cox,

Care Joseph R. Cox,

McCurtain, Indian Territory.

Dear Madam:-

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you were advised on February 27, 1903, that it would be necessary for you to appear in person before the Commission to testify relative to your intermarried status as a citizen of the Choctaw Nation on September 25, 1902. You are again informed that before further consideration can be given to your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary that you make such appearance before the Commission at its office in Muskogee, Indian Territory, there to give testimony concerning your intermarried status.

Respectfully,

Commissioner in Charge.

7-2720

Muskogee, Indian Territory August 31, 1904.

W. E. Watkins,

Spiro, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 23rd inst., requesting to be advised relative to the enrollment of Mrs. J. P. Cox who claims to be an intermarried citizen of the Choctaw Nation.

You are advised that Rebecca A. Cox wife of Joseph H. Cox of Milton, Indian Territory has been listed for enrollment as an intermarried citizen of the Choctaw Nation, but her name has not yet been placed upon a schedule of intermarried citizens of the Choctaw Nation to be forwarded to the Secretary of the Interior.

If this is not the person concerning whom your inquiry is made a further communication from you relative to the matter will receive attention.

Respectfully,

Chairman.

11

۲

Choctaw 2720
Choctaw D973

Muskogee, Indian Territory, December 23,1904.

H. H. Gardner & Company,

Tishomingo, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of December 20, asking the status of the applications of Nancy Durant and Rebecca Cox for enrollment as intermarried citizens of the Choctaw Nation.

In reply to your letter you are advised that the Commission is now considering the applications of Nancy Durant and Rebecca A. Cox for enrollment as intermarried citizens of the Choctaw Nation, and as soon as decisions are reached in these cases the applicants will be notified of the action taken.

The matter of the contest referred to in your letter will be made the subject of another communication.

Respectfully,

Chairman.

2221 John Choate Choc

2221

Empty

2722 Joseph W. McGinty Choc

2722

Choctaw 2722

Muskogee, Indian Territory, November 13, 1902.

John Taylor,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, in which you state that you are a Choctaw Indian and relative to a Chickasaw freedman who is holding more than his share of the land of the Choctaw-Chickasaw country and desire to be advised if you can lawfully move your fence out in his pasture.

In reply to your letter your attention is invited to the following provision of the Choctaw-Chickasaw agreement, ratified September 25, 1902:

"It shall be unlawful after ninety days after the date of the final ratification of this agreement for any Choctaw or Chickasaw freedman to enclose or hold possession of in any manner, by himself or through another, directly or indirectly, more than so much land as shall be equal in value to forty acres of the average allottable lands of the Choctaw and Chickasaw tribes as provided by the terms of this agreement, either for himself or for his wife, or for each of his minor children, if they be Choctaw or Chickasaw freedmen; and any freedman found in possession of lands, or having the same in any manner enclosed after the expiration of ninety days after the date of the final ratification of this agreement, shall be deemed guilty of a misdemeanor."

Also the following provision of the same agreement:

"Any person convicted of violating any of the provisions of sections 19 and 20 (Section 20 above quoted) of this agreement shall be punished by a fine not less than one hundred dollars, and shall stand committed until such fine and costs are paid

J T 2

(such commitment not to exceed one day for every two dollars of said fine and costs) and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist, shall be deemed a separate offense. And the United States district attorneys for the districts in which said nations are situated, are required to see that the provisions of said sections are strictly enforced, and they shall immediately after the expiration of ninety days after the date of the final ratification of this agreement proceed to dispossess all persons of such excessive holdings of lands, and to prosecute them for so unlawfully holding the same."

Respectfully,

Acting Chairman.

Choctaw 2722

Muskogee, Indian Territory, February 7, 1903.

John Taylor,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 4, asking whether your daughter, Ida McGinty, will be permitted to select in allotment the land adjoining her enclosures, or if other persons will be permitted to file thereon.

In reply to your letter you are advised that the Commission cannot at this time render any opinion relative to the rights of individuals to particular tracts of the Choctaw-Chickasaw country. Matters of this character will receive its consideration upon the establishment of land offices in the Choctaw and Chickasaw Nations, at which time the citizens of these two tribes may appear at the land office for the nation in which their land is located and make formal application for their allotments.

No date has been definitely determined for the establishment of the land offices in these nations but the same will probably be opened the first of April.

Respectfully,

Acting Chairman.

Choctaw 2722

Muskogee, Indian Territory, February 26, 1904.

John Taylor,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 20, stating that your grand daughter, Lois Lucile McGinty, daughter of Ida McGinty, died January 19, 1904, and you ask if it is necessary for the mother to take out letters of administration before she can select land for this child's estate. You also request that blank for proof of death be furnished if it is necessary that the same be forwarded.

In reply to your letter your attention is invited to the following provision of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902:

"If any person whose name appears upon the rolls, prepared as herein provided, shall havedied subsequent to the ratification of this agreement and before receiving his allotment of land the lands to which such person would have been entitled if living shall be allotted in his name, and shall, together with his proportionate share of other tribal property, descend to his heirs according to the laws of descent and distribution as provided in chapter forty-nine of Mansfield's Digest of the Statutes of Arkansas: Provided, That the allotment thus to be made shall be selected by a duly appointed administrator or executor. If, however, such administrator or executor be not duly and expeditiously appointed, or fails to act pomptly when appointed, or for any other cause such selection be not so made within a reasonable and practicable time, the Commission to the five Civilized Tribes shall designate the lands thus to be allotted."

J T R

Your attention is further invited to section thirteen of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, copy of which is herewith inclosed.

You are further informed that there is inclosed herewith a blank for proof of death which should be executed and presented at the land office by the administrator of the estate of Lois Lucile McGinty, when said administrator appears at the land office for the purpose of selecting allotment for this estate.

Respectfully,

Commissioner in Charge.

Rules for allotment.

D.C.

IN RE

Application for Enrollment of

INFANT CHILD.

Burnie Willard McGinty

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

Roll 4337

7-2722

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Burney Willard McGinty, born on the 15th day of January, 1898.

Name of father: J. W. McGinty, a citizen of the Choctaw Nation.

Name of mother: Ida L. McGinty, a citizen of the Choctaw Nation.

Post Office: Bokoshe, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ida L. McGinty, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of J. W. McGinty who is a citizen, by Intermarriage of the Choctaw Nation; that a male child was born to me on the 15th day of January, 1898; that said child has been named Burney Willard McGinty and is now living.

Ida L. McGinty.

Subscribed and sworn to before me this 13th day of June 1899.

B. B. Woodward.
Notary Public.

AFFIDAVIT OF ATTENDING ~~PHYSICIAN, OR~~ MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Laura Rabon and M. J. Rabon, on oath, state that we know ~~attended on~~ Mrs. Ida L. McGinty, wife of J. W. McGinty that on the 15th day of January, 1898; ~~that~~ there was born to her ~~on said date~~ a male child; that said child is now living and is said to have been named Burney Willard McGinty

Laura Rabon, M. J. Rabon

Subscribed and sworn to before me this 13th day of June, 1899.

B. B. Woodward
Notary Public

Marriage License
and Certificate of
Mr J. W. McGinty
and Miss Ida Jayson

MARRIAGE LICENSE.

Choctaw Nation. } ss. To any person authorized by law to solemnize marriages—
[illegible] County. } Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. [illegible] *, of* Bokoshe *, in the* Choctaw Nation *, aged* 27 *years, a citizen of the* [illegible] Nation *and Miss* [illegible] *of* Bokoshe *, a citizen of the* Choctaw Nation *in the* [illegible] *, aged* 18 *years, according to law, and do you officially sign and return this license to the parties therein named.*

Witness my hand and official seal, this 30th *day of* July *A. D., 1892*

[illegible]
Clerk of the County Court.

By [illegible] Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation, } ss. I, W. F. Folsom, a
Skullyville County. } Minister of the Gospel

Do hereby certify, that on the 2nd *day of* October *, A. D., 1892 , I did duly, and according to law, as commanded in the foregoing license, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.*

Witness my hand this 2nd *day of* October *, A. D., 1892*

W. F. Folsom.
A Minister

Recorded on Page 2 of the Record Book of the Circuit Court of the 1st Judicial District, Choctaw Nation. This the 29th day of October 1892.

John Taylor
Circuit Clerk

IN RE

Application for Enrollment of

INFANT CHILD.

Lois Lucile McGinty

As a citizen of the

Choctaw Nation.

Approved JUN 21 1900 1

Commissioner.

FILED
MAY 19 1900
COMMISSION TO FIVE TRIBES.

Choctaw
2722.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Lois Lucille McGinty born on the 7 day of February, 1900
Name of father: Jos. W. McGinty, a citizen of the Choctaw by Intermarriage Nation.
Name of mother: Ida L. McGinty, a citizen of the Choctaw Nation.
Post Office: Bokoshe I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ida L. McGinty, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Jos. W. McGinty who is a citizen, by Intermarriage of the Choctaw Nation; that a Girl child was born to me on the 7th day of Feby., 1900; that said child has been named Lois Lucille McGinty and is now living.

Ida L. McGinty.

Subscribed and sworn to before me this 15th day of May, 1900.

B. B. Woodward.
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Dr. G. W. St. Clair, a Physician, on oath, state that I attended on Mrs. Ida L. McGinty, wife of Jos. W. McGinty on the 7th day of Feb., 1900; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Lois Lucille McGinty

Dr G W St Clair

Subscribed and sworn to before me this 15th day of May, 1900.

B. B. Woodward
Notary Public.

My Commission will expire Feb. 1903.

7-2722 INDEXED V

32

IN RE
THE DEATH OF

Joseph W. McGinty

a citizen of the

Choctaw *Nation.*

Approved DEC 21 1904 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 22 1904

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Joseph W. McGinty
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Bokoshe, Ind. Ter., and died on the 9th day of
(Here insert name of postoffice.)
October, 1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, John Taylor, on oath state that I am 56 years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Spiro, Ind. Ter.; that I am
(Here insert name of post office.)
the father-in-law of Joseph W. McGinty,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by Marriage, of the Choctaw Nation; and that said Joseph W. McGinty died on the 9th day of
(Here insert name of deceased.)
October, 1900

John Taylor

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th *day of* December *1902*

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, William A. Welch, on oath state that I am 66 years of age, and a citizen, by Marriage, of the Choctaw Nation; that my post office address is Wister, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with Joseph W. McGinty
(Here insert name of deceased.)
who was a citizen, by Marriage, of the Choctaw Nation; and that said Joseph W. McGinty died on the 9th day of
(Here insert name of deceased.)
October, 1900

W. A. Welch

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th *day of* December *1902*

P. C. Bolger
Notary Public.

A-14337

7-2722

Correction of designation of sex of Burney W. McGuire.

L-F T
74303-16
W J C

Correction
of roll.

JUL 14 1916

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a communication dated July 6, 1916, together with other papers, from the Acting Superintendent for the Five Civilized Tribes, relating to the enrollment case of Burney . McGinty, whose name appears at No. 14337 on the final approved roll of citizens by blood of the Choctaw Nation.

It appears from the affidavits transmitted herewith and the birth affidavits filed in the office of the Superintendent in connection with the application for the enrollment of the said Burney McGinty that this person is a female instead of a male as shown on the approved Choctaw by blood roll at No. 14337.

The Office therefore recommends that the letter "M" in the sex column opposite the name of the aforesaid Burney McGinty at No. 14337 on the above-mentioned roll be cancelled and that the letter "F" be substituted therefor.

It is further recommended that this Office and the office of the Superintendent for the Five Civilized Tribes

be authorized to make a similar correction in the copies of the final rolls in their possession.

Respectfully.

(Signed) E. B. Meritt

Assistant Commissioner.

Approved:

SIGNED ANDREUS A. JONES.

Assistant Secretary.

2723 Isaac M. Norman Choc

2723

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw 2723
Intermarried

-------oOo------

In the matter of the application of Isaac Norman for enrollment as an intermarried citizen of the Choctaw Nation.

Isaac Norman being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Isaac Norman.
Q How old are you? A About forty-four.
Q What is your post office address? A Stigler, at the present time.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Well that's another question. I can't tell exactly. Somewhere about sixteen years I think.
Q Have you lived here continuously for the past sixteen years?
A Yes sir, with the exception of the time I have been at Hot Springs; I was there last winter.
Q Did you make your home there? A No sir, made my home at Stigler and Tamaha.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir, I was enrolled by the Dawes Commission.
Q What is the name of your Choctaw wife through whom you claim?
A Ara Byrd.
Q Was she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Were her rights as such ever disputed? A No sir, not that I ever heard of.
Q When were you married to Ara Byrd? A As well as I remember it was the 26th day of March, nine years ago to the best of my recollection.
Q Where was this marriage ceremony performed? A Near Tamaha.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A No sir.
Q Under what law were you married? A United States law.
Q Is that the only time you ever married this woman? A Yes sir.
Q Who performed the marriage ceremony? A Old man Tyler.
Q A minister of the gospel? A Yes sir.
Q Were you ever married previous to your marriage to Ara Byrd?
A No sir.
Q Was she ever married before her marriage to you? A Yes sir.
Q How many times? A Once.
Q What was the name of her former husband? A Leflore.

It was one of the Leflore boys.
Q Was he dead at the time of your marriage to her? A No sir.
Q Had they been divorced? A Yes sir.
Q Where was this divorce granted them? A In the Choctaw courts.
Q Have you any evidence of that divorce? A Well, yes; Mrs. Welch is her niece. She knows of that fact.
Q Have you got the original or certified copy of the decree of divorce? A I don't know whether I have or not. I did have it.
Q After your marriage to this woman how long did you live with her as her husband? A About six years I think.
Q What happened at the end of that time? A She died.
Q Did you live with her continuously as her husband up until her death? A Yes sir.
Q There was no separation of any kind whatsoever? A No sir.
Q Since her death have you remarried? A No sir, never remarried.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you then apply as an intermarried citizen? A Yes sir.
Q What action was taken upon your application at thatbtime?
A Well sir I couldn't tell you. Lawyer Wilkinson put it there.
Q Do you know what the Commission did with your application?
A No sir.
Q Was your case ever appealed to the United States Court to your knowledge? A No sir, not that I know of.

- - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenograohic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles T. Sawyer

Notary Public.

7-2723.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Isaac M. Norman as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the census card record in this case that Isaac M. Norman appeared before the Commission at Spiro, Indian Territory, June 14, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Vister, Indian Territory, December 15, 1902.

It further appears from the records of the Commission that on September 7, 1896, in the case entitled, "Isaac M. Norman, vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 1143), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming his right thereto by virtue of his marriage with Ara Byrd, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 7, 1896, the said Isaac M. Norman was admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that his status as an intermarried citizen has remained unchanged from the date of his said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Isaac M. Norman should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER

COMMISSIONER

Muskogee, Indian Territory,

MAY 8 1903

Choctaw Nation In Circuit Court Mosholatubbee District Nov. Term 1891 Case No. 43

L. I. Leflore :
:
vs. : PETITION FOR A DIVORCE
:
Ara V. Leflore :

Comes on this day to be heard the proofs and facts as set forth in the petition of the above cause; the facts being fully proven;

It is therefore ordered decreed and adjudged by the court that the holy bonds of matrimony existing by and between Plaintiff and Defendant be forever dissolved and made null and void, and that Skullyville county have execution for cost, from whence said case originated:

Dated the 11th day of November 1891.

I hereby certify that the foregoing transcript is a true and correct copy of the original records now in my office.

Witness my hand and official seal this the 5th day of December, 1891

H . C. Harrison,
(SEAL)
Circuit Clerk
First Dist. Choctaw N.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
F I L E D
Jan. 9,1903

TAMS BIXBY,
Acting Chairman.

Petition of
Isaac M. Norman

APR 1 4 1904

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

TO THE HONORABLE.

THE SECRETARY OF THE INTERIOR:

Your petitioner, Isaac M. Norman, respectfully states that he is an intermarried citizen of the Choctaw Nation and his enrollment as such was finally approved by the Honorable Secretary of the Interior on June 15, 1903.

Your petitioner further represents that on January 23, 1904, the attorneys for the Choctaw and Chickasaw Nations filed a special protest against any allotment being made to your petitioner until certain cases pending in the Choctaw-Chickasaw Citizenship Court were decided.

Your petitioner would respectfully ask that said special protest be overruled and that he be allowed to select his allotment.

Respectfully submitted,

Atty. for Petitioner.

Through the Commission to the Five Civilized Tribes.

Choctaw-2723.

In the matter of the application of Isaac M. Norman for enrollment as a citizen by intermarriage of the Choctaw Nation.

Protest overruled for
Department March 5, 1904.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB - 6 1904
CHAIRMAN.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Isaac M. Norman as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 2723.

- - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that no further action be taken in connection with allotment of land to this person until final decision by the Choctaw and Chickasaw Citizenship Court in the case of Preston Early, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of the citizenship rights by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

Attorneys for the Choctaw & Chickasaw Nations.

January 23, 1904.

Choctaw Nation In Circuit Court
Mosholatubbee District Nov. Term 1891

Case No. 4 L. J. Leflore
Petition
Ara J. Leflore

Comes on this day to be heard the proofs and facts as set forth in the petition of the above cause; the facts being fully proven;

It is therefore ordered decreed and adjudged by the court that the holy bonds of matrimony existing by and between Plaintiff and Defendant be forever dissolved and made null and void, and that Skullyville County have execution for cost from whence said case originated;

Dated the 11th day of November 1891.

I hereby certify that the foregoing transcript is a true and correct copy of the original records now in my office.

Witness my hand and official seal this the 5th day of December 1891

H. C. Harrison
Circuit Clerk
First Dist. Choctaw N.

Choctaw 2723

Muskogee, Indian Territory, January 12, 1903.

W. A. Welch,

Wister, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 20, 1902, inclosingcertified copy of the decree of divorce between L.I. Leflore and Ara V. Leflore, which you offer for filing in support of the application of Isaac M. Norman for enrollment as an intermarried citizen of the Choctaw Nation, and the same has been made a part of the record in this case.

Respectfully,

Acting Chairman.

Department of the Interior.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

W. C. B.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES
C. R. BRECKINRIDGE.
W. E. STANLEY

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Choctaw 2723

Muskogee, Indian Territory, May 8, 1903.

Isaac M. Norman,

Stigler, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 8, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Enc. NEW 9

COPY.

Choctaw 2723

Muskogee, Indian Territory, May 8, 1903.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 8, 1903, granting the application of Isaac M. Norman for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Register.

Enc. NKW 10

Choctaw-2723

Muskogee, Indian Territory, February 6, 1904.

Mr. Isaac M. Norman,

Stigler, Indian Territory.

Dear Sir:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations, dated January 23, 1904, no further action will be taken in connection with the allotment of lands of the Choctaw-Chickasaw Nations to you until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

2724 Lee Evans

choc

2724

IN RE

Application for Enrollment of

INFANT CHILD.

Sandy Evans

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

Roll 1351

7-2724

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Randy Evans, born on the 4 day of Sept, 1898

Name of father: Lee Evans, a citizen of the Choctaw Nation.

Name of mother: Lizzie Parish-Evans, a citizen of the Choctaw Nation.

Post Office: Cartersville I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Parish-Evans, on oath, state that I am 34 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Lee Evans who is a citizen, by blood, of the Choctaw Nation; that a boy child was born to me on the 4 day of Sept, 1898; that said child has been named Randy Evans, and is now living.

Lizzie Evans

Subscribed and sworn to before me this 14 day of June, 1899

Frank E. Parke Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Harriet Ford, a Midwife, on oath, state that I attended on Mrs. Lizzie Parish-Evans, wife of Lee Evans, on the 4 day of Sept, 1898; that there was born to her on said date a boy child; that said child is now living and is said to have been named Randy Evans.

attest J. W. McGinty
A. J. Moore

Harriet her + mark Ford

Subscribed and sworn to before me this 14 day of June, 1899

Frank E. Parke Notary Public.

7-2724

Muskogee, Indian Territory, August 22, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2724:

"No. 3 is a male. Correct name is Edmond.
See testimony of No. 2 taken Aug. 5, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

7-2724

Muskogee, Indian Territory, August 22, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2724:

"No. 3 is a male. Correct name is Edmond.
See testimony of No. 2 taken Aug. 5, 1903."

You are, therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

7-2724

Muskogee, Indian Territory, December 12, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card number 2724 and the duplicate of the same in your possession, you are advised that the name of No. 3 appearing thereon as Edna Evans has this day been changed to read "Edmond Evans", and the relationship changed to son, the sex to "M" and the following notation entered upon said card:

"No. 3 name changed from Edna to Edmond under Departmental Letter of November 30, 1903 (D. C. #33544-1903) change of sex also authorized"

You are therefore, requested to correct the duplicate card in your possession in accordance with this information.

Respectfully,

Chairman.

2724

Muskogee, Indian Territory, December 12, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Referring to original Choctaw enrollment card number 2724 and the duplicate thereof in your possession, you are advised that the name of No. 3 appearing thereon as Edna Evans has this day been changed to read "Edmond Evans", and the relationship changed to son, the sex to "M" and the following notation entered upon said card:

"No. 3 name changed from Edna to Edmond under Departmental Letter of November 30, 1903 (D. C. #33544-1903) change of sex also authorized"

You are therefore, requested to correct the duplicate card in your possession in accordance with this information.

Respectfully,

Chairman.

Choctaw 2724

Muskogee, Indian Territory, January 19, 1904.

Lizzie Evans,

Cartersville, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of January 14, asking if the name of Edmond Evans has been corrected upon the approved roll.

In reply you are advised that on November 30, 1903, the Secretary of the Interior approved the recommendation of the Commission that the name of Edna Evans be changed upon the approved roll of citizens by blood of the Choctaw Nation to Edmond Evans. Selection of allotment can therefore now be made in his behalf.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, November 4, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On November 18, 1902, the Commission transmitted for Departmental approval a schedule constituting part of the final roll of the citizens by blood of the Choctaw Nation, numbers 7007 to 7995, inclusive, copies of which have heretofore been returned approved by the Secretary of the Interior, January 17, 1903.

The Commission has now to advise that number 7947, Edna Evans, upon said schedules is erroneous in so far as it pertains to the given name and sex of this citizen and should be corrected.

At the Choctaw Land Office of the Commission at Atoka, Indian Territory, on August 5, 1903, Lizzie Evans, mother of Edna Evans, whose name appears upon the approved roll of citizens by blood of the Choctaw Nation at number 7946, testified that she had never had a daughter named Edna Evans, but that she has a son, Edmond Evans, who is now about fifteen or sixteen years of age.

For the information of the Department there is enclosed herewith a copy of the testimony of Lizzie Evans, of August 5, 1903.

In view of this error, as the same appears upon the schedules heretofore transmitted and the letter of transmittal, the Com-

Secretary 2

mission has respectfully to recommend that the name appearing opposite number 7947 upon the approved roll of the citizens by blood of the Choctaw Nation be corrected to read "Edmond Evans," and that the sex of this citizen be changed from "Female" to "Male," and that the Commission be further authorized to make such changes upon the copies of the letters and schedules above referred to.

Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

Enc. P. H.--98

Commissioner.

Commissioner.

7-2724

Muskogee, Indian Territory, November 4, 1903.

Commissioner in Charge,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 29, in which you ask if allotment may now be selected for number 7947 upon the approved roll of the citizens by blood of the Choctaw Nation in the name of Edmond Evans.

In reply to your letter you are informed that from information received at this office it appears that the name and sex of number 7947 upon the approved roll of citizens by blood of the Choctaw Nation (Choctaw enrollment card field number 2724), are erroneous and that the same should read Edmond Evans, a male.

You are further informed that the Commission has this day recommended the change of name and sex of this citizen upon the approved roll of the citizens by blood of the Choctaw Nation in the possession of the Department and the Indian Office and has requested authority to make like changes upon the schedules in its possession.

For your information there is enclosed you herewith copy of a letter addressed this day to the Department in this matter.

C.L.O. 2

You are, therefore, requested to with-hold the issuance of a citizenship certificate, or the making of any allotment to number 7947 upon the approved roll of the citizens by blood of the Choctaw Nation, Edna Evans, until otherwise advised.

As soon as the Commission is authorized to make the necessary changes relative to the enrollment of Edna Evans, you will be notified and will be furnished copy of Departmental letter.

Respectfully,

Chairman.

Enc. F. H.--94

7-2724

Muskogee, Indian Territory, November 4, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

Referring to Choctaw Enrollment Card, field number 2724 to the name Edna Evans which appears as number three on said card and also upon the approved roll of the citizens by blood of the Choctaw Nation opposite number 7947, you are advised that from information received at this office it appears that the name and sex of this citizen are erroneous and the Commission has this day addressed a letter to the Secretary of the Interior recommending that the name of this citizen be changed to Edmond Evans and the sex be changed from "Female" to "Male."

For your information there is enclosed you herewith copy of such letter of recommendation and you are requested to with-hold the issuance of a citizenship certificate, or the making of any allotment to Edna Evans number 7947 upon the approved roll of the citizens by blood of the Choctaw Nation until otherwise advised.

As soon as the Commission is notified of Departmental action

C. L. O. 2

in this matter you will be advised and will be furnished copy of Departmental letter.

Respectfully,

Chairman.

Enc. F. H.---96

DEPARTMENT OF THE INTERIOR. (COPY). RAF.

DC 33544.
ITD.8298-1903.
L.R.S.

WASHINGTON, November 30, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:

November 4, 1903, you recommended that the schedule of citizens by blood of the Choctaw Nation approved by the Department January 17, 1903, be corrected so that the name opposite No. 7947 will appear thereon as Edmond Evans, in lieu of Edna Evans, and the sex of this citizen as male instead of female, inasmuch as the mother of Edmond Evans testified before you August 5, 1903, that she never had a daughter named Edna Evans, and that she has a son named Edmond Evans.

Reporting November 21 the Commissioner of Indian Affairs concurs in your recommendation. A copy of his letter is inclosed.

The copy of said schedule in this office has been corrected accordingly, and you are directed to correct in the same respect the copies returned to you. The Commissioner has been requested to correct the copy in his office.

Respectfully

Thos. Ryan,

Acting Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR, (COPY).
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, November 21, 1903.

Land.
74560-1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is submitted herewith, for your consideration, letter of the Commission to the Five Civilized Tribes, of the 4th instant, reporting that on November 18, 1902, the Commission transmitted, for Departmental action, a schedule constituting part of the final roll of citizens by blood of the Choctaw Nation, Nos. 7007 to 7995, inclusive, which was approved by the Department January 17, 1903.

The Commission now states that No. 7947, Edna Evans, upon the schedule referred to, is erroneous, in so far as it pertains to the given name and sex of this citizen, and should be corrected.

At the Choctaw Land Office of the Commission at Atoka, Indian Territory, on August 5, 1903, Lizzie Evans, mother of No.7947-- her name appearing at No. 7946-- testified that she had never had a daughter named Edna Evans, but that she has a son, Edmond Evans, who is now about 15 or 16 years of age. For the information of the Department the Commission incloses a copy of the testimony of Lizzie Evans of August 5th.

In view of this error, as the same appears upon the schedule heretofore transmitted, and the letter of transmittal, the Commission recommends that the name appearing opposite No. 7947 upon the approved roll of citizens by blood of the Choctaw Nation be corrected to read "Edmond Evans"; that the sex of this citizen be changed

from female to male, and that the Commission be further authorized to make such changes upon the copies of letters and schedules above referred to.

An examination of the approved schedule on file in this office with reference to the names referred to by the Commission discloses the fact that the statements made are correct, and it being shown now that the name of No. 7947, as it appears upon the schedule is erroneous, I concur in the recommendation of the Commission that it be corrected in the manner suggested.

Very respectfully,

W. A. Jones,

Commissioner.

KBH-O.

Choctaw 2724

Muskogee, Indian Territory, December 11, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

There is inclosed you herewith copy of Departmental letter of November 30, 1903, (I.T.D. 8298-1903) authorizing the change in the name and sex of the citizen appearing upon the approved rolls of the citizens by blood of the Choctaw Nation opposite Number 7947 from Edna, Female, to Edmond, Male, and you are, therefore, requested to make the necessary changes upon the schedules of citizens by blood of the Choctaw Nation and the letters of transmittal in the possession of your office.

Respectfully,

Chairman.

AB 2-11

Choctaw 2724

Muskogee, Indian Territory, December 11, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

There is inclosed you herewith copy of Departmental letter of November 30, 1903, (I.T.D. 8298-1903) authorizing the change in the name and sex of the citizen appearing upon the approved rolls of the citizens by blood of the Choctaw Nation opposite Number 7947 from Edna, Female, to Edmond, Male, and you are, therefore, requested to make the necessary changes upon the schedules of the citizens by blood of the Choctaw nation and the letters of transmittal in the possession of your office.

Respectfully,

Chairman.

AB 1-11

2725 Elizabeth H. Kayser

Choc

2725

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--------o--------

The record herein is in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of

ELIZABETH H. KAYSER. 7-2725.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Elizabeth H. Kayser as intermarried Choctaw;being sworn and examined by Com'r McKennon she testifies:

Name is Elizabeth H. Kayser, thirty-two years old.

Q You were married on the 20th day of July, 1893? A Yes sir.

Q To Henry J. Kayser a citizen of the Choctaw Nation?

A Yes sir.

Q Where have you been residing since your marriage to him?

A We lived in Fort Smith until after his death, then I have lived in the Nation.

Q You lived in Fort Smith up to what time? A Nearly two years ago.

Q What was the date of his death? A Last November.

Q You lived in Fort Smith until after his death? A Yes sir.

Q Then you came to the Territory? A Yes sir.

Q And have been living here since? A Yes sir. Mr. Kayser always had his business in the Nation, across the line. Mr. Kayser died in November, 1897.

Q How long after his death until you moved into the Territory?

A A month or two afterwards.

William G. Kayser being sworn and examined testifies

Q What is your name? A William G. Kayser.

Q Are you acquainted with Mrs. Elizabeth H. Kayser? A Yessir.

Q She is the widow of your brother Henry J.? A Yes sir.

Q Do you remember the date of the death of your brother?

A November, 1898.

Q Do you know how long after that it was she came to the Choc-

taw Nation, moved to the Choctaw Nation?

A Not exactly, but I think something about six months. She moved- I think she saw a notice in the paper that the Dawes Commission said that had to be residents in the Choctaw Nation, and mybmother owned property in Fort Smith and moved to the Nation and left it; Henry had two places down in the bottom and he said he intended to live down there sometime as his home, and she moved into that place with her family about six months after his death.

Q Is there no way in which you can get the exact date of her removal? A I suppose I could by the people that lived there, and by her I guess.

Q Had she resided in the Territory since her marriage at any time before that? A No sir. My brother just boarded in Fort Smith, he never did have no home there. Had his business down at the bridge that was the place where he boarded and did his business.

Q You know the exact days of November that your brother died?

A No sir, I have forgotten.

Q Do you know whether it was after the passage of the Curtis Bill or before? A I don't - and she told me she got information from Mr. Ainsworth -

Q Was that after his return from Washington? A I think it was; I think it was after the passage of the Curtis Bill, but I don't remember the date.

Q (By Judge Shackelford)

Mrs. Kayser never lived in the Choctaw Nation until after her husband's death? A No sir.

Q Never lived here prior to marriage? A No sir, xxxx lived in Fort Smith.

Q Didn't they marry in Texas? A I think they did, but they was living in Fort Smith.

(Elizabeth H. Kayser, W.G.Kayser witness #3)

Q You say Mrs. Kayser never lived in the Territory until after his death? A No sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to the above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Elizabeth H. Kayser as intermarried Choctaw. John F. Collins being sworn and examined by Com'r McKennon testifies:

Name is John F. Collins, twenty-four years old.

Q You are a citizen of the Choctaw Nation by blood? A Yessir

Q Do you know Mrs. Elizabeth H. Kayser, widow of Henry J. Kayser? A No, I don't know her name; I know the widow of Henry Kayser.

Q Do you know what time she came from Fort Smith over into the Choctaw Nation? A No sir I don't.

Q Do you know whether it was before or after the flood in the spring of 1898? A To the best of my knowledge it was after the flood, I believe.

Q About how long? A Something like a month or month and a half.

Q Can you remember anything about how large the crops were at the time when she came over? A The water washed most of them down, and they had to plant over.

Q They had been planted when she came in I suppose? A Yessir

Q Do you know how large they were? A I know how large some of them was that the water never washed down.

Q Was it after or before the corn was laid by? A It was before the corn was laid by.

Q About how high was the corn? A Some of it from a knee high to hip high .

Q That is about as nearly as you can state it is it?

A Yes sir.

Q (By T.D.Ainsworth) Were you in there when the floods come?

A Yes sir, I staid there during the flood.

Q (Capt.McK) You know what time the flood went away, what time

it came and what time it went away? A It was in May, I believe the water was at its highest the 14th of May.

Q How long did it take it to go away? A XSomething like a week,- that is for most of it; some of it is there yet in holes.

Q (By Ainsworth) It was about the first of June when you began to plant over wasn't it? A Yes sir, some of them planted along the first of May and some of them the first of June, and some couldn't plant.

Q Who was living in this house of Henry Kayser's on the road, making a crop on the place during the floow?

A A white man.

Q What was his name? A Jim Barnett

Q Is he there now? A Yes sir

Q How far is he from here? A About two miles this side of Fort Smith.

Q Com'r McK) Do you know whether she moved over there after the passage of the Curtis Bill or not? A No sir, I don't.

Department of the Interior,

Commissioner of Indian Affairs

I hereby certify that the foregoing is a true and correct transcription of my stenographic notes.

M D Green

Commission to the Five Civilized Tribes,

Red Oak, Indian Territory.

In enrollment of Elizabeth H. Kayser as intermarried Choctaw; Napolean B. Ainsworth being sworn and examined by Com'r McKennon testifies:

Napolean B. Ainsworth,

Q You are acuqainted with Mrs. Kayser? A Yes sir

Q She advised with you about coming to the Choctaw Nation?

A Yes sir, she asked me if I would keep her posted, and I said you just moved over into the Nation;and I was in Fort Smith pretty soon after, and she had moved.

Q That was after the passage of the Curtis Bill? A Yes sir

Q She was then residing in Fort Smith? A Yes sir.

Q And she immediately moved over? A Yes sir. I came immediately after the passage of the Bill, and I have written to her since and she has advised with me, and the question come up about how much land she would hold and she asked me and told me she had nobody to advise her, and I told her I would be glad to help her in anyway; no attorney in the case, just a friend.

Department of the Interior,
Commission to the Five Civilized Tribes

I hereby certify, upon my official oath as Stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 25, 1900.

In the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of Elizabeth H. Kizer, Choctaw roll card, field No. 2725. James B. McDonough being duly sworn by the Commission testified as follows:

Examination by the Commission.

Q The question in the matter of Mrs. Kizer's enrollment as an intermarried citizen of the Choctaw Nation is the question of non-residence I believe? A Yes sir.

Q You desire to make a statement as to her residence in the state of Arkansas? A Yes sir.

Q All right sir. A I was the attorney for Mr. Henry A. Kizer, the husband of Elizabeth H. Kizer for a number of years before his death. During all of that time he did business in the Choctaw Nation just across the live from Fort Smith. He was for two or three years in failing health just before his death. He died of consumption. He owned property both in the Choctaw Nation and in the city of Fort Smith in the state of Arkansas. His physician had advised him that it was dangerous for him to remain all the time in the Choctaw Nation in the bottom or swamp between the Poteau and the Arkansas rivers. He consulted me, asking if it would lose him his citizenship if he should have a temporary residence in Fort Smith. Upon an investigation of the law it was my conclusion and I so advised him, that if his residence in Fort Smith was only temporary and if he continued to maintain his citizenship in the Indian Territory and maintained his rights as a Choctaw citizen he would not lose his Choctaw citizenship. Acting upon my advice, he lived out of Fort Smith with his wife for some months before his death but also made several trips to San Antonio and other points for the benefit of his health. During the whole of the time that he was temporarily residing out of Fort Smith he exercised the rights of a citizen of the Choctaw Nation. He voted in the Choctaw Nation and never at any time exercised any right as a citizen of Arkansas. I have no interest in this matter in any way. I am the attorney of Mrs. Kizer in other matters and felt it my duty to make this statement as I probably knew more of Mr. Kizer's intentions than any other person as I was his confidential adviser as well as his attorney.

Q How long has Mr. Kizer been dead? A He died either in 1897 or 1898. I could not state in which.

Q Where has Mrs. Kizer resided since then? A Soon after his death she took up her actual residence on his farm in the Indian Territory and has from that time to this resided there where she now resides.

Q Was she a resident of the Indian Territory and maintained her home there prior to the 28th day of June, 1898? A Yes sir within a few weeks after his dead, in less than two months I will say, she took up her residence in the Indian Territory at all times not having given it up in my judgment as I construed they were still citizens of the Choctaw Nation. They had no residence in Fort Smith. No legal residence.

Q Since Mr. Kizer's death Mrs. Kizer has been an actual bona fide resident of the Indian Territory in the Choctaw Nation? A She has.

Q Has she even maintained a temporary residence in Fort Smith? A No sir. Immediately after his death she took up her

actual residence in the Indian Territory.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 30th day of October, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 31st day of October, 1900.

Guy L. V. Emerson
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw 2725
Intermarried

--------oOo--------

In the matter of the application of Elizabeth H. Kayser for enrollment as an intermarried citizen of the Choctaw Nation.

Elizabeth H. Kayser being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Elizabeth H. Kayser.
Q What is your age? A Thirty-five.
Q What is your post office address? A Fort Smith.
Q Do you live in Fort Smith? A No sir, I live in the Choctaw Nation.
Q How long have you been a resident of the Choctaw Nation? A Why it's always been our home except when I traveled with my husband for his health. His business was there.
Q Do you claim intermarried rights in the Choctaw Nation? A I do.
Q What is the name of your Choctaw husband through whom you claim these rights? A Henry Kayser.
Q Was he a recggnized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q When were you married to Henry Kayser? A '93.
Q Where was this marriage ceremony performed? A Houston, Texas.
Q At that time were you living in the state of Texas? A Yes.
Q What was your husband's home at that time? A The Nation.
Q Were you married under the laws of the state of Texas?
A Yes sir.
Q After this marriage did you remove to the Territory? A Yes sir.
Q Immediately? A Yes sir, his business was always there.
Q Since that time you have lived in the Choctaw Nation? A Yes sir.
Q Who performed this marriage ceremony? A Rev. Ragen, Houston, Texas.
Q Were you ever married prior to your marriage to this man?
A Yes sir.
Q What was the name of your former husband? A Sims.
Q Was he a white man? A Yes sir.
Q Was he dead at the time of your marriage to Mr. Kayser? A Yes sir.
Q Was your Indian husband ever married before his marriage to you?
A No sir.
Q After this marriage how long did you live together continuously as husband and wife? A Four years.
Q What happened at the end of that time? A He died four years after we was married.
Q You lived together as husband and wife up until his death?
A Yes sir.
Q Since his death have you remarried? A No sir.
Q You are at present an actual and bona fide resident of the Choctaw Nation? A I am.

Q Have you a home in Fort Smith? A No sir, I have no home there at all. I have my mail sent there.
Q All your interests are in the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles W. Hamper

Notary Public.

Certified Copy

No. 1303

H. J. Harper

WITH } Marriage License.

Miss Lizzie Heard Simms

Issued July 19 1896

C. F. Winkler

Clerk County Court, Harris County, Texas.

By Leo. Jones

Deputy.

CUMMING & SONS, PRINTERS, HOUSTON.

The State of Texas
County of Harris.

I H. J. Kayser of Kelly ville County, and ~~State of~~ Indian Territory do solemnly swear that Miss Lizzie Heard Simms is over 18 years of age, that [illegible] over 21 years of age, and that there are no legal objections to [illegible] marriage.

H. J. Kayser

Witness

Sworn to and subscribed before me, this 19 day of July A.D. 1893

C. F. Winkler County Clerk.

By Geo Jones Deputy.

The State of Texas,
County of Harris.

I E. F. Lemprec Clerk of the County Court in and for the County and State aforesaid, do hereby certify that the within and foregoing is a true and correct copy of the Marriage License, issued on the 19 day of July 1893

H. J. Kayser with Miss Lizzie Heard Simms

and the Officer's Return thereon, together with the affidavit as to the age of the respective parties, as the same appears of Record in my office, in Record of Marriages, Book M Page 35

WITNESS E. F. Lemprec Clerk of said Court, and the seal thereof, at office in the City of Houston, this 10 day of Nov, 1896

E. F. Lemprec

Clerk County Court Harris County, Texas.

By [illegible] Speed Deputy Clerk.

Certified Copy

No. 1303

H. J. Kayser

WITH } **Marriage License.**

Miss Lizzie Heard Simms

Issued July 19 1896

C. F. Winkler

Clerk County Court, Harris County, Texas.

By Geo. Jones Deputy.

DUMMING & SONS, PRINTERS, HOUSTON.

The State of Texas. } County Clerk's Office.
County of Harris. } Houston, [illegible] 1893

To any Regularly Licensed or Ordained Minister of the Gospel, Judge of the District Court, Judge of the County Court, or Justice of the Peace---Greeting:

You, or either of you, are Hereby Authorized

To Join in the Holy Union of Matrimony.

[illegible]

with

[illegible] Theard Simons

In accordance with the Laws of this State.

Herein Fail Not, That you make due return of this, your authority, to my office in the City of Houston, within sixty days thereafter, certifying in what capacity you executed the same.

In testimony Whereof, Witness L. F. Wendlen Clerk of the County Court in said County and State, and official Seal, at office in Houston, this 19 day of July A. D. 1893

[illegible]

L. F. Wendlen
Clerk County Court, Harris County, Texas.

By [illegible] Deputy.

OFFICER'S RETURN

Solemnized by the undersigned authority, this 20th day of July 1893

No. 1303

Book [illegible] Page [illegible]

[illegible]
[illegible]

7-2725.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----o-----

In the matter of the application for the enrollment of Elizabeth H. Kayser as a citizen by intermarriage of the Choctaw Nation.

-- -- -- -- -- -- -- -- -- --

D E C I S I O N .

It appears from the record herein that Elizabeth H. Kayser, formerly Simms, on July 20, 1893, was lawfully married to H. J. Kayser, now deceased, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears upon the 1893 Choctaw Leased District Payment Roll, Skullyville County, page 32, No. 306, and also upon the 1896 Choctaw Census Roll (as Henry J. Kayser), Skullyville County, No. 7463. From an examination of the tribal rolls in the possession of the Commission it is found that the name of Elizabeth H. Kayser (as Elizabeth Kayser) appears upon the 1896 Choctaw Census Roll of intermarried persons, Skullyville County, No. 14716.

It further appears from the evidence in this case that at the time of said marriage the applicant herein was a resident of the State of Texas, and that the said H. J. Kayser was a resident in good faith of the Choctaw Nation; that after said marriage they lived together continuously as husband and wife, residing temporarily in the State of Arkansas, but always keeping a legal residence in the Choctaw Nation, until 1897, the date of the decease of said H. J. Kayser, since which time the applicant herein has not remarried and resided continuously in the Choctaw Nation up to and including September 25, 1902, with the exception of about two months immediately following the decease of her said husband.

It is, therefore, the opinion of this Commission that Elizabeth H. Kayser should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner

Commissioner.

Muskogee, Indian Territory.
MAR 2 1904

Commissioner.

Choctaw No. 2725

Muskogee, Indian Territory, March 2, 1904.

Elizabeth H. Kayser,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 2, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc. 7-2725

Choctaw No. 2725

Muskogee, Indian Territory, March 2, 1904.

Read & McDonough,

Attorneys at Law,

Fort Smith, Arkansas.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 2, 1904, rendered a decision granting the application of Elizabeth H. Kayser for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said Elizabeth H. Kayser as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her named will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Registered.

Commissioner in Charge.

Choctaw No. 2725

Muskogee, Indian Territory, March 2, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw & Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered March 2, 1904, granting the application of Elizabeth H. Kayser for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said Elizabeth H. Kayser as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc. 7-2725

Choctaw 2519
Choctaw 2725

Muskogee, Indian Territory, October 27, 1903.

James Bower,

Tuskahoma, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 20, asking the status of the applications of Mrs. Elizabeth Kayser and John E. Foster for enrollment as intermarried citizens of the Choctaw Nation.

In reply to your letter you are informed that the Commission has not yet passed upon the applications of the above named persons for enrollment as intermarried citizens of the Choctaw Nation. As soon as decisions are reached they will be informed of the action of the Commission.

In the event further evidence is necessary to enable the Commission to pass upon their applications they will be duly notified.

Respectfully,

Commissioner in Charge.

Choctaw 2725

Muskogee, Indian Territory, March 26, 1904.

Read & McDonough,

Attorneys at Law,

Fort Smith, Arkansas,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 19, asking if the Choctaw or Chickasaw Nation took an appeal from the decision of the Commission granting her citizenship.

In reply to your letter you are advised that no protest having been entered by the attorneys for the Choctaw and Chickasaw Nation to the enrollment of Elizabeth H. Kayser as an intermarried citizen of the Choctaw Nation, within the fifteen days allowed for that purpose, her name has been placed upon a schedule of intermarried citizens of said nation which has been forwarded the Department but the Commission has not been advised of any action thereon by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choctaw 2725

Muskogee, Indian Territory, October 17, 1902.

Read & McDonough,

Fort Smith, Arkansas.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 13th instant, in which you state that Mrs. Elizabeth Kayser has received a notice of the Commission of October 4, 1902, and calling especial attention to the clause relative to intermarried citizens.

You state that Mrs. Kayser is an intermarried citizen of the Choctaw Nation and desire to be advised if it is necessary for her to again appear before the Commission.

In reply to your letter you are advised that on September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement closing the rolls of the citizens of the Choctaw and Chickasaw Nations on that date. The rolls as now being made by this Commission of the citizens of these two tribes will be as of September 25, 1902, and it is necessary that the Commission ascertain the status of all applicants for enrollment as intermarried citizens on the date of the final ratification of such agreement.

R & McD 2

It will therefore be necessary that Elizabeth Kayser personally present herself before the Commission at one of the appointments specified in the circular referred to by you in order that her status as an intermarried citizen of the Choctaw Nation on September 25, 1902, may be determined.

Respectfully,

Acting Chairman.

2726 Noel James choc

2726

Empty

2727 Billy Dixon Choc

2727

IN RE

Application for Enrollment of

INFANT CHILD.

Susan Dixon

As a citizen of the

Choctaw Nation.

Approved July 15 1899

Commissioner.

1-2727

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible] Nation,

of Susan Dixon, born on the 23 day of January, 1898.

Name of father: Billy Dixon, a citizen of the Choctaw Nation.

Name of mother: Betsy Dixon, a citizen of the Choctaw Nation.

Post Office: Hall, I. T.

Father

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
[illegible] District.

I, Billy Dixon, on oath, state that I am 45 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful husband of Betsy Dixon who is a citizen, by Blood, of the Choctaw Nation; that a female child was born to me on the 23 day of January, 1898; that said child has been named Susan Dixon, and is now living.

Witness
R. L. Smith

Billy his X mark Dixon

Subscribed and sworn to before me this 15 day of June, 1899.

Commissioner Notary Public.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
[illegible] District.

I, Solomon Tate, a [illegible], on oath, state that I ~~attended on~~ know Mrs. Betsy Dixon, wife of Billy Dixon, that on the 23 day of January, 1898; ~~that~~ there was born to her on said date a female child; that said child is now living and is said to have been named Susan Dixon.

Witness
R. L. Smith

Solomon his X mark Tate

Subscribed and sworn to before me this 15 day of June, 1899.

Commissioner Notary Public.

2728 Ben Jackson Choc

2728

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 25 1902

ACTING CHAIRMAN.

This is to certify that my
wife name[illegible] Nancy Jackson
Died on the 6th of Feb 1900
and that on 17 Day of July 1901
I Married Lorena Mullin
[illegible]
[illegible]

W.O.B.

INDEXED

AN.

32

IN RE
THE DEATH OF

Sicany Jackson

A citizen of the

AN.

Nation.

Approved NOV 4 1902 190

Tams Bixby

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 4 1902

ACTING CHAIRMAN.

2726

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Sicany Jackson (Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near Stigler (Here insert name of postoffice), Ind. Ter., and died on the 6 day of Feb, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Wallin James, on oath state that I am 38 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Stigler (Here insert name of post office.), Ind. Ter.; that I am a Brother (State relationship as: the father, an uncle, a cousin, etc.) of Sicany Jackson (Here insert name of deceased.), who was a citizen, by Blood, of the Choctaw Nation; and that said Sicany Jackson (Here insert name of deceased.) died on the 6 day of Feb, 1900.

Wallin X James

WITNESSES TO MARK:

(Must be Two Witnesses.) Abel Cooker
J. T. Walker

Subscribed and sworn to before me this 25 *day of* Oct 1902

David W Brown
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, strict.

I, Joe Folsom, on oath state that I am 31 years of age, and a citizen, by Blood, of the Choctaw Nation; that my post office address is Stigler (Here insert name of post office.) Ind. Ter.; that I was personally acquainted with Sicany Jackson (Here insert name of deceased.) who was a citizen, by Blood, of the Choctaw Nation; and that said Sicany Jackson (Here insert name of deceased.) died on the 6 day of Feb 1900.

Joe Folsom

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 25 *day of* Oct 1902

David W Brown
Notary Public.

Choctaw 2928

Muskogee, Indian Territory, July 22, 1902.

Ben Jackson,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for the enrollment as a citizen of the Choctaw Nation of Susie Ann Jackson, the infant daughter of Ben and Luceannie or Lorena Jackson, and the same is returned to you herewith for further information regarding the mother of this child.

It is stated in the application for the enrollment of Susie Ann Jackson that the name of the mother is Luceannie Jackson while she signs her name to her affidavit as Lorena Jackson. You are requested to state the correct name of your wife, her maiden name, the time and place application was made to the Commission and such other information regarding her enrollment as will enable us to identify her upon our records. If you have been married to her since the time she was listed for enrollment, you are requested to forward either the original or certified copy of the marriage certificate between you as authority for the changing of her name upon our records from her maiden name to her present married name.

Upon receipt of the information requested above and the return of the application for enrollment of Susie Ann Jackson, the

B J B

matter will be given further consideration.

You are advised that it appears from the records of this office that at the time you were listed for enrollment by this Commission as a citizen of the Choctaw Nation, there was listed for enrollment with you, your wife, Sicany Jackson, 38 years of age, and you are now requested to state whether Sicany Jackson has died since the time she was so listed for enrollment by this Commission.

Yours truly,

Commissioner in Charge.

Enc Y 54

7-2628
7-2738

Muskogee, Indian Territory, September 25, 1902.

Ben Jackson,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Susie Ann Jackson, infant daughter of Ben and Lorena Jackson, born May 11, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

The application was accompanied by a statement to the effect that your wife, Sicany Jackson, died February 6, 1900, and that you were married July 17, 1901, to Lorena Martin.

You are requested to furnish the Commission with either your original certificate, or certified copy thereof, of the marriage between yourself and Lorena Martin, as authority for the change of her name upon our records from her maiden name to her present married name.

You are also advised that proof of the death of your wife, Sicany Jackson, should be furnished the Commission, and a

B J S

blank for that purpose is enclosed you herewith.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the parties whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested persons, witnesses thereto.

The notary public before whom the same are acknowledged must affix his notarial seal and jurat to each separate affidavit.

Respectfully,

Env. Acting Chairman.

D.C.

7-2628.
7-2738.

Muskogee, Indian Territory, November 4, 1902.

David W. Brown,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, enclosing the affidavit of Elias Folsom relative to the marriage between Ben Jackson and Lorena Martin; also the affidavit of Daniel Scott as to the death of Phillips Byington who performed the marriage ceremony between the above named persons; and the same have been duly filed with the records of the Commission in the matter of the application for enrollment as a citizen of the Choctaw Nation of Susie Ann Jackson, infant daughter of Ben and Lorena Jackson; and as authority for the change of the name of the mother upon our records from her maiden name of Martin to her present married name of Jackson.

Receipt is also acknowledged of the affidavits of Wallin James and Joe Folsom relative to the death of Sicany Jackson, formerly the wife of Ben Jackson and a citizen by blood of the Choctaw Nation, which occurred February 6, 1900; and the same

D W B 8

being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

2729 mike Joner doc

2729

Empty

2730 Ben James Choc

2730

IN RE

Application for Enrollment of

INFANT CHILD.

Lavina James

As a citizen of the

Cherokee Nation.

Approved June 15 1899

Commissioner.

1-2730

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible] Nation,

of Nowa James, born on the 20 day of September, 1897.

Name of father: Ben James, a citizen of the Choctaw Nation.

Name of mother: Rhoda James, a citizen of the Choctaw Nation.

Post Office: Bokoshe, I. T.

AFFIDAVIT OF ~~MOTHER~~.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
[illegible] District.

I, Ben James, on oath, state that I am 37 years of age and a citizen, by Legal, of the Choctaw Nation; that I am the husband lawful ~~wife~~ of Rhoda James, who is a citizen, by Blood, of the Choctaw Nation; that a female child was born to me on the 20 day of September, 1897; that said child has been named Nowa [illegible], and is now living.

Ben James

Subscribed and sworn to before me this 15 day of [illegible], A. D. 1898.

[illegible] Notary Public.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Nowata District.

I, Adam James, a Choctaw, on oath, state that I ~~attended~~ known on Mrs. Rhoda James, wife of Ben James that on the 20 day of September 1897; ~~that~~ there was born to her on said date a female child; that said child is now living and is said to have been named Nowa James.

Nowata I. T.

Subscribed and sworn to before me this 15 day of [illegible], A. D. 1898.

[illegible] Notary Public.

INDEXED

2730

CHOCTAW.

Application for the enrollment of infant child Jane James

Approved SEP 1 1901

C. R. Breckinridge.

Commissioner

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 4 1901

ACTING CHAIRMAN

SEP 1901

CHOCTAW.

2730

Department of the Interior.

Commission to

the Five civilized Tribes.

In Re Application for Enrollment, as a citizen of the Choctaw Nation, of Jane James, born on the 19th day of April 1901. Name of father: Benjamin James, a citizen of the Choctaw Nation. Name of mother: Rehoda James a citizen of the Choctaw Nation.

Shady Point I.T.

Affidavit of Mother.

United States of America.
Indian Territory
Central District

I Rehoda James.

on oath, state that I am 26 years of age and a citizen by blood of the Choctaw Nation; that I am the lawful wife of Benjamin James who is a citizen by marriage of the Choctaw Nation; that a female child was born to me on the 19th day of April 1901; that said child has been named Jane James and is now living.

Rehoda James

Subscribed and sworn to before me this 26th
day of August 1901. at Shadypoint I.T.
my Commission expires 3/10/04 E. R. Goode
Notary Public

Affidavit of midwife

United States of America.
Indian Territory
Central District.

I Celey James on oath,
state that I attended on Mrs Rebecca James
wife of Benjamin James on the 18th day of
April 1901; that there was born to her on
said date a female child; that said child
is now living and said to have been named
Jane James.

Celey J. James.

Subscribed and sworn to before me this 26th day
of August 1901. at Shadypoint I.T.
my Commission expires 3/10/04 E. R. Goode
Notary Public

Muskogee, Indian Territory, September 3, 1901.

Mr. J. B. Jackson,

Shady Point, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the [redacted] enclosing application for enrollment as a citizen of the Choctaw Nation of Jane James, the infant daughter of Benjamin and Rheda James, born April 18, 1901 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

T-2730

2732 Andrew Collins cloc

2732

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--------o--------

The record herein is in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of CLAUDIE L. COLLINS. 7-2732.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Nellie Collins as Choctaw by blood;

E.J.Johnson being sworn and examined by Com'r McKennon testifies:

Q What is your name? A E. J. Johnson.

Q How old? A Thirty-six.

Q Are you a citizen of the Choctaw Nation? A No sir, I am not a citizen of the Nation, I am a United States citizen.

Q Do you know Andrew J. Collins? A Yes sir.

Q Did you know his wife Nannie? A Yes sir.

Q He is a Choctaw citizen? A Yes sir.

Q And she was a white woman? A Yes sir.

Q Were you present when they were married? A No sir, I wasn't there.

Q Do you know they lived together as husband and wife in the Indian Territory? A Yes sir. Me and him lived on the same place together.

Q Do you know they were recognized by the people among whom they lived as husband and wife? A Yes sir.

Q And so lived together? A Yes sir.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to the Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, Indian Territory, December 18, 1902.

Choctaw 2732.
Intermarried.

In the matter of the application of Claudie L. Collins for enrollment as an intermarried citizen of the Choctaw Nation.

Claudie L. Collins, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Claudie L. Collins.
Q How old are you A Twenty four years old.
Q What is your post office address? A Tucker, Indian Territory.
Q How long have you been a resident of the Choctaw Nation? A Something near eight years.
Q Have you lived here continuously for the past eight years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Andrew J. Collins.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to this man? A April 3, 1895.
Q Where was the marriage ceremony performed? A Near Fort Smith--in the Indian Territory.
Q In the Choctaw Nation? A Yes sir
Q Who married you? A Judge Ward.
Q Did you obtain a license? A No sir.
Q At the time of this marriage were both you and your husband bona fide residents of your Choctaw Nation? A Yes sir.
Q Were you ever married before your marriage to Mr Collins? A No sir
Q Was he ever married before his marriage to you? A Yes sir.
Q How many times? A Once.
Q What was the name of his former wife? A I don't know.
Q Was she dead at the time of your marriage to him? A No, sir
Q Had they been separated? A Yes sir.
Q Had they been divorced? A Yes sir.
Q Do you know where the divorced was granted to them? A Tishomingo.

Simon E. Lewis, Choctaw Commissioner, states that this man's former wife appears before the Commission at Tishomingo and proved her divorce from him, her name is now Nannie Duncan.

Q Since your marriage to Andrew J. Collins have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

--o--

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day od December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date. Harry Risteen

Subscribed and sworn to before me this 22 day of January 1903.

Charles H. Lawrence Notary Public

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 20 1903

CHAIRMAN.

United States Postoffice

EMET, INDIAN TERRITORY

W. F. BRIDGES, Postmaster
ARTHUR WOMBLE, Assistant

April 2d 1903

Mr Jack. Collins.

Tucker I. T.

My Dear Sir,

I was at Tishomingo to day. and Saw Flem Duncan and said you were having some trouble over your Devorce case that [illegible] was granted by the District Court of the Chickasaw Nation. The Honable Benj. F. Kemp was District Judge of the Court at the time the Devorce was sued out for and granted. I was Clerk of said Court. and the Decree of the Court was granted on the 16th day of November 1893. between Jack Collins and Mrs Ann Collins.

A T McKinney
Ex. District Clerk
Chickasaw Nation,

If this information is of any benefit to you, you can send me $2.00

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JUL 6 1903

CHAIRMAN.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT.

AFFIDAVIT.

On this day, personally appeared before me, W. H. Bingham, a Notary Public, in and for said District and Territory, Benjamin F. Kemp, who on oath deposes and says, as follows, to-wit:- My name is Benjamin F. Kemp, I am Seventy (70) years of age, and reside in the Town of Tishomingo, Indian Territory, I am a member of the Chickasaw Tribe of Indians, and have heretofore held the position of District Judge of the Chickasaw Nation during which time I remember to have granted a divorce dissolving the bonds of matrimony between Jack Collins and Nannie Collins; I remember well to have granted this divorce and to have performed the marriage ceremony betwwen the said Nannie Collins and Arch McGee on the same day said divorce was granted.

This 18th., day of May, 1903.

Benjamin F Kemp

Subscribed and sworn to before me this 18th., day of May, 1903.

W H Bingham
Notary Public.

E.R.
A(d)

7 - 2732.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Claudie L. Collins as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that on April 3, 1895, the applicant herein, Claudie L. Collins, nee Kersh, was lawfully married to A. J. Collins, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears (as Andrew Collins) No. 7972 upon the lists prepared by this Commission under the provisions of the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Claudie L. Collins should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

Commissioner.

Muskogee, Indian Territory,
JUN 21 1904

Choctaw 2732.

Muskogee, Indian Territory, June 21, 1904.

Claudie L. Collins,

Tucker, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 21, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation If at the expiration fo that time no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7- 2732.

Choctaw 2732.

COPY.

Muskogee, Indian Territory, June 21, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered June 21, 1904, granting the application of Claudie L. Collins for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7- 2732.

CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Thomas Hugh Collins

as a citizen of

CHOCTAW. Nation.

Approved, MAR 16 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 16 1901

ACTING CHAIRMAN

CHOCTAW.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Thomas Hugh Collins (Here insert name of child), born on the 17 day of January, 1901

Name of Father: Andrew J. Collins, a citizen of the Choctaw Nation.

Name of Mother: Claudie Lee Collins, a citizen of the Choctaw Nation.

Post-office, Tucker 25

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Claudie Lee Collins, on oath state that I am 23 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Andrew J. Collins, who is a citizen, by blood, of the Choctaw Nation, that a male (male or female) child was born to me on the 17 day of January 1901; that said child has been named Thomas Hugh Collins, and is now living.

Claudia Lee Collins

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 12 *day of* March 1901.

John W Chest
NOTARY PUBLIC
My Com Exp Oct 29 - 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Cook, a midwife, on oath state that I attended on Mrs. Claudie Lee Collins, wife of Andrew J Collins, on the 17 day of January 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Thomas Hugh Collins

her
Lizzie + Cook
Mark

WITNESSES TO MARK:

(Must be Two Witnesses)
W. T. Puckett
W. A. Bryan

Subscribed and sworn to before me this 12 *day of* March 1901.

John W Chest
NOTARY PUBLIC
My Com Exp Oct 29-1901

7-2732

IN RE

Application for Enrollment of

INFANT CHILD.

Claudie C. Collins

As a citizen of the

Choctaw Nation.

Approved June 22 1899

[signature] Commissioner.

7-2732

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of [illegible], born on the 7 day of Dec., 1896

Name of father: A. J. Collins, a citizen of the Choctaw Nation.

Name of mother: Claudia L. Collins, a citizen of the Choctaw Nation.

Post Office: [illegible]

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Claudia L. Collins, on oath, state that I am 20 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of A. J. Collins who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 7 day of December, 1896; that said child has been named Claudia C. Collins, and is now living.

Claudia L. Collins

Subscribed and sworn to before me this 19 day of June, 1899.

Grant E. Parke

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, T. L. Hedgecock, a Physician, on oath, state that I attended on Mrs. Claudia L. Collins, wife of A. J. Collins on the 7th day of Dec. 1896, 1; that there was born to her on said date a Female child; that said child is now living and is said to have been named Claudia C. Collins.

Dr. T. L. Hedgecock

Subscribed and sworn to before me this [illegible] day of June, 1899.

[illegible]

Notary Public.

OFFICE OF

M. S. COLLINS, JR.,

DEALER IN

GENERAL MERCHANDISE.

Fort Smith, Ark., ... 189

I do Certify that I have this day joined Miss Claudia Lee Kirsh and A. J. Collins according to the laws of the Schoctaw Nation In the year of our Lord 1895 This April 8 rd

J. H. Ward

Judge of Scullyville County

Schoctaw Nation

This is to Certify that the above Marriage Certificate has been recorded in Book No. 1 Page 651 of the Records of this County. This July 6th 1896.

Ward

Clerk

Scullyville County C.N.

IN RE

Application for Enrollment of

INFANT CHILD.

Andrew L. Collins

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

7-2732

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Andrew L. Collins, born on the 28 day of January 1899

Name of father: A. J. Collins, a citizen of the Choctaw Nation.

Name of mother: Claudie L. Collins, a citizen of the Choctaw Nation.

Post Office: Durant, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Claudie L. Collins, on oath, state that I am 20 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of A. J. Collins who is a citizen, by Blood, of the Choctaw Nation; that a Male child was born to me on the 28 day of January, 1899, that said child has been named Andrew L. Collins and is now living.

Claudia L Collins

Subscribed and sworn to before me this 19 day of June, 1899.

Grant E. Park,

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Polly Bernard, a Midwife, on oath, state that I attended on Mrs. Claudie L. Collins, wife of A. J. Collins on the 28 day of Jan., 1899; that there was born to her on said date a Male child; that said child is now living and is said to have been named Andrew L. Collins.

Polly her × Bernard
mark

Subscribed and sworn to before me this 19 day of June, 1899

Grant E. Park

Notary Public.

Muskogee, Indian Territory, February 23, 1900.

Mr. W. T. Ward,

Superintendent Public Instruction,

Tishomingo, Indian Territory,

Dear Sir:

Your letter of February 12 is received by the Commission, in which you desire information in regard to one Nellie Collins and as to whether she was enrolled as a Chickasaw or Choctaw. You are informed that the records of this Commission disclose the name of Nellie Collins, the daughter of Andrew J. Collins of Tucker, Indian Territory, who is duly listed for enrollment as a citizen of the Choctaw Nation. This girl was seven years of age when she was listed for enrollment June 10, 1899. If this is not the party of whom you inquire, if you will furnish the name of other members of the family with whom she was enrolled, her age, and any other information that may lead to her identification, the Commission will give the matter further attention.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to Choctaw 2752.

Muskogee, Indian Territory, December 3, 1901.

Hon. John D. Benedict,

Superintendent of Schools in Indian Territory,

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th ultimo, requesting that you be informed if Rosie Buck, 14 years old, daughter of G. F. Buck and Nellie Collins, 10 years old, daughter of Mrs. Fannie Moore, are listed for enrollment as citizens by blood of the Choctaw Nation, and if so, whether by order of the United States Court or otherwise.

Replying to your inquiry you are informed that it appears from our records that on October 4, 1900, Rosa Buck, 11 years old, the daughter of George Piper Buck and Cynda Buck, of Willis, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation. The name of this child does not appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission but her rights to citizenship are by a judgment of the United States Court for the Southern District of the Indian Territory.

It also appears from our records that on June 15, 1899, Nellie Collins, 7 years old, the daughter of Andrew Collins and Nannie Duncan, of Tucker, Indian Territory, was listed for enrollment as a citizen by blood of the Choctaw Nation. The name of

J D B 2

this child was identified from the1893 leased district payment roll of the Chootaw Nation as a resident of the Chickasaw District.

Yours truly,

Commissioner in Charge.

7-5241

7-2732

Muskogee, Indian Territory, March 18, 1902.

Andrew J. Collins,

Tucker, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Thomas Hugh Collins, the infant son of Andrew J. and Claudie Lee Collins, born January 17th, 1901, and the application being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2712

Chickasaw 736
Choctaw 2732

Muskogee, Indian Territory, November 8, 1902.

G. D. Rodgers,

Clerk in Charge Choctaw-Chickasaw Enrollment Party,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of letter of Philip B. Hopkins, of November 5, 1902, referring to Nannie McGee, nee Duncan, formerly Nannie Collins, and her right to enrollment as a citizen by intermarriage of the Chickasaw Nation.

In the letter it is stated that she claims to have been listed for enrollment as an intermarried citizen of the Chickasaw Nation by her husband, Archie McGee on September 28, 1898, at the time he submitted his application for the enrollment of himself and his two children, Winnie and Isaac McGee (Chickasaw card 736).

It is further stated that Nannie McGee was formerly the wife of Andrew Collins, on Choctaw card 2732 and that she is entered on the latter card as the mother of Nannie and Thomas Hugh Collins, the entry indicating that her name appears upon the 1896 roll.

In conclusion it is desired that your party be informed whether the name of this woman in fact appears upon the tribal rolls of 1896 of either the Choctaw or Chickasaw Nations.

G D R S

In reply to your letter you are advised that it does not appear from an examination of the records of this office that any person by the name of Nannie Duncan, Nannie Collins or Nannie McGee has been listed for enrollment by the Commission as a citizen by intermarriage of either the Choctaw or Chickasaw Nations nor are we able to find her name upon the tribal rolls of 1896 of either the Choctaw or Chickasaw Nations.

There is nothing on file with the records of the Commission either in Chickasaw case No. 736 or Choctaw case No. 2732 in any manner indicating that Nannie McGee was ever married in accordance with the tribal laws of either the Choctaw or Chickasaw Nations to a citizen by blood of either of said tribes.

The statement in the letter of the 5th instant that this woman appears upon Choctaw card No. 2738 as the mother of Nellie and Thomas Hugh Collins is evidently in error. You will note that on Choctaw card No/ 2732, No. 5, Nellie Collins, that the mother appears as Nannie Duncan who is evidently the Nannie McGee referred to in your letter. The mother of Thomas Hugh Collins listed on Choctaw card No. 2732 is Claudie L. Collins, who is apparently the present wife of Andrew Collins.

It is suggested that Nannie McGee be personally advised if she desires to submit an application for enrollment as a citizen by intermarriage of the Choctaw or Chickasaw Nations/

G D R 3

that she do so at one of the appointments in the Choctaw and Chickasaw Nations. If, however, you are unable to personally advise her of this fact, if you will so advise this office a letter to that effect will be addressed to her at her present post-office address.

Respectfully,

Commissioner in Charge.

7-2732.

Muskogee, Indian Territory, January 23, 1903.

A.J. Collins,

Tucker, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 27, 1902, also of your letter of the 6th inst., stating that at the time of your appearance before the Commission at Wister, Indian Territory, you were informed that it would be necessary for you to furnish evidence of the divorce between yourself and your former wife. You also state that a divorce was granted at Tishomingo, Indian Territory, but that the copy of the same which you had has become misplaced.

You are advised that it will be necessary for you to furnish the Commission with a certified copy of the divorce proceedings between yourself and your former wife in the matter of the application for the enrollment of your present wife as an intermarried citizen of the Choctaw Nation, and that the same should be forwarded to the Commission with as little delay as possible.

Respectfully,

Acting Chairman.

Choctaw 2732

Muskogee, Indian Territory, April 20, 1903.

Andrew J. Collins,

Tucker, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 10, inclosing statement of A. T. McKinney, relative to the divorce between yourself and your former wife, Nannie Collins, which you forward in support of the application for enrollment as an intermarried citizen of the Choctaw nation of your wife, Claudia L. Collins, and the same has been filed with the record in this case.

You are informed, however, that this is merely a statement and if you cannot secure either the original or a certified copy of the record of divorce between yourself and Nannie Collins you should furnish the affidavits of two reliable and disinterested witnesses who know of the divorce having been obtained.

Respectfully,

Chairman.

7-2732

Muskogee, Indian Territory, July 7, 1903.

Andrew J. Collins,

Tucker, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 4, 1903, enclosing the affidavit of Benjamin F. Kemp relative to divorce proceedings between yourself and your former wife, Nannie Collins, and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of your present wife, Claudie L. Collins, as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-2732

Muskogee, Indian Territory, July 7, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2732:

"See affidavit of B. F. Kemp relative to divorce proceedings between No. 1 and former wife, filed July 6, 1903."

You are therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

7-2732

Muskogee, Indian Territory, July 7, 1903.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card, No. 2732:

"See affidavit of B. F. Kemp relative to divorce proceedings between No. 1 and former wife, filed July 6, 1903."

Ypu are therefore, requested to make like notation upon the duplicate card in your possession in accordance with the above information.

Respectfully,

Commissioner in Charge.

2733 Solomon Terrell doc

2733

AP

IN RE

Application for Enrollment of

INFANT CHILD.

Barry Williams

As a citizen of the

Cherokee Nation.

Approved June 15 1849

Commissioner.

Roll No. 7985

7-2733

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Betsy Williams, born on the — day of February, 1898.

Name of father: Stephen Williams, a citizen of the Choctaw Nation.

Name of mother: Easter Williams, a citizen of the Choctaw Nation.

Post Office: Brazil, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, ..., on oath, state that I am ..... years of age and a citizen, by ....., of the ..... Nation; that I am the lawful wife of ..... who is a citizen, by ....., of the ..... Nation; that a ..... child was born to me on the ..... day of ....., 1 ....; that said child has been named ....., and is now living.

Subscribed and sworn to before me this ..... day of ....., 1 ....

Notary Public.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ Guardian.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Solomon Terrell, a —, on oath, state that I ~~attended on~~ knew Mrs. Easter Williams, wife of Stephen Williams, that on the — day of February, 1898; ~~that~~ there was born to ~~her~~ on said date a female child; that said child is now living and is said to have been named Betsy Williams.

Witness
P. L. Reuter.

Solomon his Terrell mark

Subscribed and sworn to before me this 15 day of June A.D., 1899.

[signature]
Commissioner ~~Notary Public~~.

2734 Frank Lewis cloc

2734

IN RE

Application for Enrollment of

INFANT CHILD.

Wallis G. Lewis

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

Rec'd 7/92

7-2734

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Wallis Grady Lewis, born on the 20 day of September, 1897

Name of father: W. A. Lewis, a citizen of the United States ~~Nation~~

Name of mother Bettie A. Lewis-Deceased, a citizen of the Choctaw Nation.

Post Office: Cameron I.T.

AFFIDAVIT OF ~~MOTHER~~ Father

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. A. Lewis, on oath, state that I am 46 years of age and a citizen, by intermarriage, of the United States ~~Nation~~; that I am the lawful husband of Bettie A. Lewis-deceased who is a citizen, by Blood, of the Choctaw Nation; that a male child was born to me on the 20th day of September, 1897; that said child has been named Wallis Grady Lewis, and is now living.

W. A. Lewis

Subscribed and sworn to before me this 13th day of June, 1899.

H. J. Bowers
Notary Public.
Cen. Dis. Ind. Ter.

Central

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J. T. Harbour, a Physician, on oath, state that I attended on Mrs. Bettie A. Lewis, wife of W. A. Lewis on the 20 day of September, 1897; that there was born to her on said date a male child; that said child is now living and is said to have been named Wallis Grady Lewis.

J T Harbour

Subscribed and sworn to before me this 13th day of June, 1899

H. J. Bowers
Notary Public.
Cen. Dis. Ind. Ter.

Central

My com. ex. Feby 17 – 1902

7-2734 INDEXED

IN RE
THE DEATH OF

May Lewis
a citizen of the

Choctaw Nation.

Approved DEC 20 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 20 1902

ACTING CHAIRMAN.

CHOCTAW. #2734

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of May Lewis
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Shady Point, Ind. Ter., and died on the 13 day of
(Here insert name of postoffice.)
November, 1900.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Frank Lewis, on oath state that I am 22
years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Shady Point, Ind. Ter.; that I am
(Here insert name of post office.)
brother of May Lewis,
(State relationship as the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said May Lewis died on the 13 day of
(Here insert name of deceased.)
November, 1900. Frank Lewis

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 15 day of December 1902

A. C. Ristean
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, W. A. Lewis, on oath state that I am 50
years of age, and a citizen, ~~by~~ of the U. S. Nation;
that my post office address is Shady Point, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with May Lewis
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said May Lewis died on the 13 day of
(Here insert name of deceased.)
November 1900. W. A. Lewis

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 15 day of December 1902.

A. C. Ristean
Notary Public.

Skullyville County
Choctaw Nation
I T

To the Hon Tams Bixby
Acting Chairman of the
Dawes Commission

Your petitioner Pettie A Lewis states she is a Citizen of the Choctaw Nation by blood and recognized as such and resides in Skullyville County Choctaw Nation I T and has for the last Twenty years past

Your petitioner further represents to your Hon Commission that she is a married woman but not under the Laws of the Choctaw Nation but she was admitted by act of Council a certified copy of said act appended hereto and made part of this petition marked exhibit "A" which shows that her and her children (the same being named in said act) are duly entitled to all the rights immunities of other Choctaw Indians by blood

Your petitioner further states as a result of said marriage union with her husband there was born a boy child on the 20th day of Sept A D 1897 which she named Wallis Brady Lewis which she asks to be enrolled upon the Dawes Commission Rolls together with herself and other children said child being born in said County and Nation aforesaid

Pettie A Lewis

Subscribed and sworn to before me this
27th day of Oct 1897

W B Wallis
Notary Public

OFFICE OF

J. B. JACKSON

National . Secretary . Choctaw . Nation.

I. T., 189

An acting admitting Betty a Lewis and others

Sec. 1. Be it enacted by the General Council of the Choctaw Nation assembled

That Betty a Lewis and her children to wit; Frank Lewis age 16 years Bettie Lewis age 14 May Lewis age 10 Annie age 8 Cora age 6 years Curtis age 4 years Alice age 2 years Winnie age 6 months are hereby admitted to all the rights priveleges and immunities of the Choctaw and this act take effect and be in force from and after its passage

Approved Nov. 6th 1896.

Jeff. Gardner
P.C.C.N.

This is to certify that the foregoing is a true and correct from the original ~~application~~

act of the General Council of the Choctaw Nation passed and approved by the regular session of the Council in 1895, now on file in the Office of National Secretary at Tuskahoma, the Capital of the Choctaw Nation.

Witness my hand & the Great Seal of the Choctaw Nation this the 13th day of August A. D. 1896.

J. B. Jackson
National Secretary
Choctaw Nation.

Choctaw Nation
Indian Territory

I I. T. Harbor do solemnly swear that I am a regular practing Physian and reside at Cameron I.T. and have resided here for 8 or ten years past - I was present at the birth of a child (Boy) on the 20" day of Sept AD 1897 at Mrs Bettie A Lewis in Skullyville County Choctaw Nation I was her attending Physian and am personally and intimately acquainted with her there were also present - Mrs Laura Edwards & Mrs Mary Garrett as her lady attendants I further state that she is the same Bettie A. Lewis whose Choctaw citizenship is recognized by act of Council

I T Harbour M.D.

Subscribed and sworn to before me this 27" day of Oct 1897

J D Wallis
Notary Public

Choctaw Nation
Skullyville County
Ind Ter

I Mary Garrett do solemnly swear that I am a Citizen of the United States and reside near Cameron I T - I further state that I was present when Bettie A Lewis gave birth to a Boy child whom she named Wallis Grady Lewis said child was born on the 20" day of Sept 1897 I was one of her Lady attendants the other being Mrs Laura Edwards - her attending Physician being Dr I T Harbor

Mrs Bettie A Lewis is the same Bettie A Lewis together with her children who have been duly recognized by act of Council as Choctaw Indians

~~Mary~~ her Garrett
Mary Garrett

Subscribed and sworn to before me this 20" day of Oct 1897

W W Wallis
Notary Public

Petition of Bettie a Lean

W W Wallis
atty as heard
Go McAlester
l. c.

Choctaw Nation
Skullyville County
Ind Ter

I Laura Edwards do solemnly swear that I am a citizen of the United States and reside at Cameron Ind Ter. I further state that I was present at the birth of Wallis Grady Lewis a boy child he was born unto Bettie A. Lewis on the 20" day of Sept 1897 at her home near Cameron Skullyville County I T there were also present her husband W. A. Lewis and Dr L. T. Harbor as her attending Physician and Mrs Mary Garrett her other lady attendant Mrs Bettie A. Lewis who is duly recognized by act of Council together with her children as Choctaw Indians

Laura A. Edwards

Subscribed and sworn to before me this 27" day of Oct 1897

W. N. Wallis

Notary Public

7-2734.

Muskogee, Indian Territory. October 29, 1902.

J.F. Sparks,

Ti, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th inst., enclosing marriage license and certificate between J.F. Sparks and Mary Lewis; and the same are returned to you herewith. You are requested to advise the Commission your purpose in forwarding the same.

If your wife is a citizen by blood of the Choctaw Nation, you are requested to state the time and place application was made for her enrollment, and the names of the other members of her family for whom application was made at the same time.

Upon receipt of the information requested herein, and return of the evidence of marriage, the matter will receive further consideration.

Respectfully,

Acting Chairman.

Enc B I 52.

1 4-2734

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, Tams Bixby, Chairman of the Commission to the Five Civilized Tribes, do hereby certify that the names of Frank Lewis, Belle Lewis, Annie Lewis, Curtis Lewis, Alice Lewis, Winnie Lewis and Wallis G. Lewis appear upon the appoved roll of the citizens by blood of the Choctaw Nation, opposite numbers 7986, 7987, 7988, 7989, 7990, 7991 and 7992, respectively, and that their enrollment as such was approved by the Secretary of the Interior, January 17, 1903.

In Testimony Whereof I have hereunto set my hand this twenty eighth day of November, 1903, at Muskogee, Indian Territory.

Chairman.

2735 Ben Franklin doc

2735

7-2735.

Muskogee, Indian Territory, November 11, 1902.

Ben Franklin,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Wisey Byington relative to the death of your daughter, Sarah Franklin, a citizen by blood of the Choctaw Nation, which occurred August 11, 1902; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

7-2735.

Muskogee, Indian Territory, December 29, 1903.

W.W. Ish,

Redoak, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22d inst., enclosing marriage certificate between Betsy Hancock and Benjamin Franklin of April 4, 1900; and the same has been filed in the matter of the enrollment of Betsy Hancock as a citizen by blood of the Choctaw Nation.

Respectfully,

Acting Chairman.

2736 warren James

choc

2736

IN RE

Application for Enrollment of

INFANT CHILD.

Ella Jones

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

7-2736

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Ella James, born on the 21st day of November, 1897

Name of father: Warren James, a citizen of the Choctaw Nation.

Name of mother: Emeline James, a citizen of the Choctaw Nation.

Post Office: Stigler I. T.

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Warren James, on oath, state that I am 37 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Emeline James who is a citizen, by blood, of the Choctaw Nation; that a female child was born to ~~me~~ us on the 21st day of November, 1897; that said child has been named Ella James, and is now living.

his
Warren × James
mark

Witness: F. N. Loblell

Subscribed and sworn to before me this 15th day of Dec, 1899

Notary Public.

Commissioner

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ neighbor.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ben Franklin, a neighbor, on oath, state that ~~I was in attendance on Mrs~~ ~~wife of~~ Warren and Emeline James on the 21st day of November, 1897; that there was born to ~~her~~ on said date a female child; that said child is now living and is said to have been named Ella James.

his
Ben × Franklin
mark

Witness: F. N. Loblell

Subscribed and sworn to before me this 16th day of Dec, 1899

Notary Public.

Commissioner

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of

[illegible] Nation.

Approved, AUG 2 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 2 1901

ACTING CHAIRMAN.

CHOCTAW.

7-2736

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of (Here insert name of child) George Turner, born on the 23rd day of July, 1900

Name of Father: Willie James, a citizen of the Choctaw Nation.

Name of Mother: Emeline James, a citizen of the Choctaw Nation.

Post-office, Stigler I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Central District. }

I, Emeline James, on oath state that I am 70 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Willie James, who is a citizen, by Blood, of the Choctaw Nation, that a Male (male or female) child was born to me on the 23rd day of July, 1900 that said child has been named George James, and is now living.

Emeline James

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 29th *day of* July, 1901.

M W Keenan NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } District. }

I, Jincy Folsom, a Midwife, on oath state that I attended on Mrs. Emeline James, wife of Willie James, on the 23rd day of July, 1900 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named George

Jincy Folsom

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 29th *day of* July, 1901.

M W Keenan NOTARY PUBLIC

✓ IN

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Annie Jones

as a citizen of

Choctaw Nation.

Approved OCT 9 1905 190

Commissioner.

Born Sept 8, 1902.

Recvd April 20 1903

ACT OF CONGRESS APPROVED MARCH 3d, 1905.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

FILED

OCT 9 1905

COMMISSIONER.

CHOCTAW.

2736

March 4. 1905

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Annie Jones (Here insert name of child.), born on the 8 day of September, 1902

Name of Father: Willie Jones a citizen of the Choctaw Nation.

Name of Mother: Ida Jones a citizen of the Choctaw Nation.

Post-office Vireton

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Ida Jones, on oath state that I am 21 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Willie Jones, who is a citizen, by Blood, of the Choctaw Nation; that a Female (male or female.) child was born to me on 8 day of September 1902, that said child has been named Annie Jones, and is now living.

Ida Jones

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 13 *day of* April 1903

My Commission expires March 1 - 1906

James E. Kenihan, NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District,

I, W. G. Argo, a Physician, on oath state that I attended on Mrs. Ida Jones, wife of Willie Jones on the 8 day of September, 1902, that there was born to her on said date a Female (male or female.) child; that said child is now living and is said to have been named Annie Jones.

W. G Argo

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 13 *day of* April 1903

James E. Kenihan, NOTARY PUBLIC

My Commission expires March 1 - 1906

Muskogee, Indian Territory, August 2, 1901.

Mr. Wallen James,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of George James, the infant son of Wallen and Emeline James, born February 25, 1900, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-2736

7-3108
7-2736

Muskogee, Indian Territory, April 21, 1903.

Willie Jones,

Vireton, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of Annie Jones, infant daughter of Willie and Ida Jones, born September 8, 1902, recently forwarded by you to this office, your attention is invited to the following provision of Section 34 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

> "During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

W J 2

Under the above legislation the Commission is now without authority to enroll your child.

Respectfully,

Chairman.

7-2736

Muskogee, Indian Territory, October 10, 1905.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory,

Dear Sir:

For the information of your office there is inclosed herewith copy of name and information this day placed at No. 10 upon Choctaw roll card No. 2736.

You will therefore make like changes upon the duplicate Choctaw roll card of this number in your possession and add the name of this citizen to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Commissioner.

LM 2/10

7-2736

Muskogee, Indian Territory, October 10, 1905.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

For the information of your office there is inclosed herewith copy of name and information this day placed at No. 10 upon Choctaw roll card No. 2736.

You will therefore make like changes upon the duplicate Choctaw roll card of this number in your possession and add the name of this citizen to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

LM 1/10

Commissioner.

2737 Philip Byington Choc

2737

7-2737.

Muskogee, Indian Territory, October 17, 1908.

Wycie Byington,

Ironbridge, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, Philip Byington, has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

If this is correct, you are requested to have the enclosed blank for proof of death correctly executed, and return the same in the enclosed envelope at your earliest convenience.

You will note there is an affidavit for a relative and an acquaintance. In having thesame executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

The notary public before whom the same are acknowledged

W B 2

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Acting Chairman.

Env.

D.C.

7-2737.

Muskogee, Indian Territory, November 11, 1903.

Wisey Byington,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Benjamin Franklin relative to the death of your husband, Phillip Byington, a citizen by blood of the Choctaw Nation, which occurred January 16, 1903; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

CHOCTAW. 38

IN RE
THE DEATH OF

Phillip Pennington
(a citizen of the
Choctaw *Nation.*

Approved NOV 11 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 11 1902

ACTING CHAIRMAN

CHOCTAW.

2737

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Phillip Byington
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near Iron Bridge
(Here insert name of postoffice)
, Ind. Ter., and died on the 16th day of January, 1902.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Wisey Byington, on oath state that I am 70 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge
(Here insert name of post office.)
, Ind. Ter.; that I am the lawful Wife of Phillip Byington deceased,
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation; and that said Phillip Byington died on the 16th day of January, 1902.
(Here insert name of deceased.)

Wisey her + Byington
mark

WITNESSES TO MARK:

(Must be Two Witnesses) { Jack Jackson
Walter Simpson

Subscribed and sworn to before me this 6th day of Nov, 1902

M W Newman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Benjamin Franklin, on oath state that I am 48 years of age, and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge
(Here insert name of post office.)
, Ind. Ter.; that I was personally acquainted with Phillip Byington
(Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation; and that said Phillip Byington died on the 16th day of January, 1902.
(Here insert name of deceased.)

Ben Franklin

WITNESSES TO MARK:

(Must be Two Witnesses) { _____
_____

Subscribed and sworn to before me this 6th day of Nov, 1902.

M W Newman
Notary Public.

2738 Sim Walken doc

2738

Empty

2739 Adam James choc

2739

Empty

2740 Robert Russell Choc

Dora Russell Transferred from Choctaw
Jacket D # 640 Oct 31, 1904

2740

In the matter of the application for the enrollment of Dora Russell as a citizen by intermarriage of the Choctaw Nation.

7-D-640.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., APRIL 5th, 1901.

IN THE MATTER OF THE APPLICATION FOR ENROLLMENT AS AN INTERMARRIED CITIZEN OF THE CHOCTAW NATION OF DORA RUSSELL.
ROBERT H. RUSSELL, being first duly sworn testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Robert Hartman Russell.
Q How old are you? A Twenty five.
Q Where do you live? A One mile north west of Spiro, Indian Territory.
Q What Nation? A Choctaw Nation.
Q Are you a citizen by blood of the Choctaw Nation? A Yes, sir.
Q Are you married? A Yes, sir.
Q To whom were you married? A Dora Harris.
Q When were you married? A July, 1900.
Q Had you ever been married before that? A No, sir.
Q Has your wife ever been married before? A No, sir.
Q What is your wife's father's name? A His name was Harris; I don't know his given name.
Q White man? A Yes, sir.
Q What is the name of your wife's mother? A Her name was Harris.
Q Was she a white woman? A Yes, sir.
Q Are they living? A Her mother is living; her father is dead.

The Rolls of the Choctaw Nation have been examined, and the name of Robert Russell, through whom this applicant claims the right to intermarried citizenship in the Choctaw Nation is found upon Choctaw Roll Field Card Number 2740.

Q Have you a certificate of marriage between yourself and the applicant for enrollment? A I have this marriage certificate is all (Hands paper to Commission)

There is offered in evidence certificate of marriage of Robert H. Russell and Dora Harris, dated, June 10, 1900.

A copy of the decision of the Commission as to your application for the enrollment of your wife as an intermarried citizen of the Choctaw Nation will be mailed to you at your present Postoffice address.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Brannon

Subscribed and sworn to before me at Muskogee, Indian Territory, this the 5th day of April, A. D., 1901.

J S Davidson

NOTARY PUBLIC.

C.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Choctaw D-640

Muskogee, Indian Territory, March 5, 1902.

Dora Russell,

Spiro, Indian Territory.

You are hereby notified that the application of yourself for enrollment as a citizen of the Choctaw Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15th day of April, 1902.

On said date you may, if you desire, appear before the Commission in person or by attorney when an opportunity will be given you to introduce any additional testimony affecting said application which you may think proper or necessary.

You are further notified that the representatives of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

T. B. Needles.

Register.

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 15, 1902.

In the matter of the application of **Dora Russell**, for enrollment as a citizen by intermarriage of the Choctaw Nation.	D-640 .

On the 5th day of March, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were also notified by registered mail that the application of Dora Russell for enrollment as a citizen of the Choctaw Nation would be taken up by the commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 15th day of April, 1902, for final consideration.

Now on this 15th day of April, 1902, this cause coming on to be heard, pursuant to said notice, the Choctaw Nation failed to appear, and the applicant being called failed to appear, either in person or by attorney.

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on April 15, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of April, 1902.

H. C. Belford

Subscribed and sworn to before me this 18 day of April, 1902.

Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw D-640
Intermarried

----------oOo----------

In the matter of the application of Dora Russell for enrollment as an intermarried citizen of the Choctaw Nation.

Dora Russell being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Dora Russell.
Q How old are you? A Twenty years old.
Q What is your post office address? A Spiro.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Three years.
Q Have you lived here continuously for the past three years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Where did you live before that? A Arkansas.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A R. H. Russell.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to R. H. Russell? A 10th of July, 1900.
Q Where was this marriage ceremony performed? A Skullyville.
Q At that time were both you and your husband living in the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Judge Lanier.
Q Were you married under a license? A No.
Q Were you ever married previous to your marriage to Mr. Russell?
A No sir.
Q Was he ever married before his marriage to yo u? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There hasbeen no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles N Haworth

Notary Public.

Recorded in Book No, 3, Page 73, of the Records of Skullyville County, This the 7th day of Aug, 1900

L. A. Moon.
Clerk of Skullyville
County. Choctaw Nation.,

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 5 1901

ACTING CHAIRMAN.

Skullyville Co. Ch. Nation
July [illegible] 1900

Be it known to all whom it may concern that this is to certify that this day Robert H. Russell a citizen of the Choctaw Nation and Dora Harris a citizen of the United States were lawfully united in marriage by the undersigned

Ed Lanier
Judge of Skullyville County

N.F.

7-3-640.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Dora Russell as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that the applicant, Dora Russell (nee Harris), was on July 10, 1900, lawfully married to Robert Russell, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8010 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; and that they lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Dora Russell should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

[illegible]

7-D-640

Muskogee, Indian Territory, October 15, 1904.

COPY.

Dora Russell,

Spiro, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby.

Chairman.

Registered.

Incl. 7-D-640.

7-D-640

Muskogee, Indian Territory, October 15, 1904.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of Dora Russell as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby

Chairman.

Registered.

Incl. 7-D-648.

See 7-D-4 for registry receipt for this letter.

CHOCTAW. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Eva Russell

as a citizen of

Choctaw Nation.

Approved, SEP 19 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 19 1902

ACTING CHAIRMAN

CHOCTAW.

2 740

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Eva Russell (Here insert name of child), born on the 15 day of Sept, 1902

Name of Father: Robert Russell a citizen of the Choctaw Nation.

Name of Mother: Dora Russell, a citizen of the Choctaw Nation.

Post-office, Spiro Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Dora Russell, on oath state that I am 20 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Robert Russell, who is a citizen, by Blood, of the Choctaw Nation, that a Female (male or female) child was born to me on the 15th day of Sept 1902 that said child has been named Eva Russell, and is now living.

Dora Russell

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 17 *day of* Sept 1902

M H Lowne
Com. Expires Feb 2-1904

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, S A Guenther, a Midwife, on oath state that I attended on Mrs. Dora Russell, wife of Robt Russell, on the 15th day of Sept, 1902; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Eva Russell

S A Guenther

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 17 *day of* Sept 1902

M H Lowne
Com. Expires Feb. 2-1904

NOTARY PUBLIC

Muskogee, Indian Territory, August 24, 1900

Mr. R. M. Russell,

Spiro, Indian Territory.

Dear Sir:

The Commission is in receipt of yours of the 18th instant, enclosing the marriage certificate between Robert M. Russell and Dora Harris and requesting that the Commission register your wife as an intermarried citizen of the Choctaw Nation.

You are informed that the rules and regulations of this Commission and of the Department of the Interior require that each and every applicant for enrollment in any one of the Five Tribes in the Indian Territory, must present himself in person before the Commission for examination, so that a statement under oath may be taken upon which this Commission can base its decision , and also for forwarding to the Honorable Secretary of the Interior when the final rolls of the citizens of any of these Nations are sent to him for approval. There is an exception made in the case of heads of families, duly recognized citizens of any tribe who may appear in behalf of his wife and minor children.

You will therefore understand, that in the matter of the application for enrollment of your wife, it will be necessary for one of you to present yourself in person before the Commission for the purpose of this examination. This may be done at any time at the office of the Commission in Muskogee.

R. H. M. 2--

The marriage certificate is herewith returned to you.

Yours truly,

Acting Chairman.

Enc e.

7-2740

Spiro, I. T.
Choctaw Nation
April 10th 1901.

Commission to the Five Civilized Tribes
Muskogee, I. T.

As requested I here with send the full names of my wifes parents.

Fathers name was Walker Harris, Mothers name was Sarah A. Harris.

Respectfully,
Robert N. Russell

Muskogee, Indian Territory, April 17, 1901.

Mr. R. H. Russell,

Spiro, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 10th inst., containing information relative to the names of your wife's parents, for which you have the thanks of the Commission.

Yours truly,

Acting Chairman.

7-2740

Look up this letter referred and give it to me

Muskogee, Indian Territory, July 18, 1901.

Mr. Robert H. Russell,

Spiro, Indian Territory.

Dear Sir:

You are kindly requested to state the age of your wife.

Your prompt attention to this matter will be duly appreciated.

Yours truly,

Commissioner in Charge.

7-2740

MeM

Spiro, I. T.
Aug 2-1901

Commission to Five Citlized Tribes,
Muskogee I. T.

As requested I send you the age of my wife. She was 19 years old the 22 day of last April, 1901.

Respectfully,
Robt H. Russell

Muskogee, Indian Territory, August 6, 1901.

Mr. Robert H. Russell,

Spiro, Ind. Ter.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you advise this office that your wife was 19 years old, April 22, 1901.

You are informed that proper consideration has been given this matter and your letter filed with the records of the Commission.

Yours truly,

Commissioner in Charge.

T-D640

7-2740.

Muskogee, Indian Territory, September 18, 1902.

Robert Russell,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Eva Russell, infant daughter of Robert and Dora Russell, born September 15, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

Choctaw-310.

Spiro, Indian Territory, July 18, 1904.

Robert Russell,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 11th, in which you ask the status of the application of your wife, Dora Russell, for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter, you are informed that the Commission has not yet passed upon the application of Dora Russell for enrollment as an intermarried citizen of the Choctaw Nation; but will as early as practicable take up the same for consideration and determination. As soon as a decision is reached in this case, you will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw D 640

Muskogee, Indian Territory, March 24, 1904.

Robert Russell,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 21, asking if the enrollment of your wife, Dora Russell, as an intermarried citizen of the Choctaw Nation has been approved.

In reply you are advised that the Commission has not yet passed upon the application of your wife, Dora Russell, for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case she will be duly advised of the action taken therein.

Respectfully,

Commissioner in charge.

7-8740

Muskogee, Indian Territory, December 3, 1904.

Dora Russell,

Spiro, Indian Territory.

Dear Madam:

You are hereby advised that your enrollment as an intermarried citizen of the Choctaw Nation was approved by the Secretary of the Interior November 16, 1904.

Respectfully,

Chairman.

2731 Jefferson D. Surratt Choc

2731

C. 3170.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Okmulgee, I. T., October 31, 1904.

In the matter of the application for the enrollment of David Adams as a citizen by blood of the Creek Nation.

THOMAS ADAMS, being duly sworn, testified as follows:

By Commission:

Q What is your name? A Thomas Adams.
Q How old are you? A Sixty-four.
Q What is your post office? A Okmulgee.
Q Are you town King of Fetchapataka Town? A Yes, sir.
Q Do you know David Adams? A Yes, sir.
Q Do you know where he is now? A In the Choctaw Nation.
Q Is he living? A The last time I heard of him, about a year ago, he was living.
Q About how old is he? A I think he is about twenty-one.
Q Is he part Creek and part Choctaw? A Yes, sir.
Q Do you know his post office? A I could not say.
Q Is he related to the McKinney family? A Yes, sir.
Q Do you know whether he ever drew any money as a Choctaw or not? A I do not know about that but I know he drew here.
Q Do you know whether he was ever called by any other name except Adams? A I don't know.

Reference is made to Choctaw Cards 2731 and 5329.

---000ooo000---

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D C Skaggs

Subscribed and sworn to before me this 4 day of Nov. 1904.

Charles D Hanson
Notary Public.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Fena Surratt as Choctaw by blood; G.W. Dukes being sworn and examined by Com'r McKennon testifies:

G. W. Dukes, forty-nine years old.

Q Do you know Fena Surratt, the wife of Jefferson D. Surratt?

A I am not acquainted with her since she has got grown.

Q Did you know her father, Jennette McDaniels? A Yes sir he was a Choctaw citizen.

Q Did you know her mother? A Yes sir.

Q What was the name? A Etha

Q She was a white woman? A Yes sir.

Q D o you know anything about their marriage?

A I couldn't swear positively that I do; I think they married over across Kiamitia, over where she lived; there was a Choctaw wedding there and I was present at that marriage, and if that is where they married I was present; I couldn't say positively.

Q You knew them quite intimately, Jennette and his wife?

A Yes sir. I lived in the same neighborhood.

Q Do you know they lived together as husband and wife?

A Yes sir

Q And were so recognized by the people there who knew them?

A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that my official oath as stenographer to the Commission and this transcript is a true and correct translation of my stenographic notes.

M. D. Green

Choc - 2731

Certificate of Record of Marriage

United States of America, Indian Territory, Southern District. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court, in the Territory and District aforesaid Do HEREBY CERTIFY, that the License for and Certificate of Marriage of

MR E. C. Dill and

Miss Phoney Durant

were filed in my office in said Territory and District the 26th day of August A.D., 1902 and duly recorded in Book F of Marriage Record, Page 477.

WITNESS my hand and Seal of said Court, at Ardmore, this 26th day of August A.D. 1902

C. M. Campbell
CLERK.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 4 1902
ACTING CHAIRMAN.

CHOCTAW.
2731

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

Ardmoreite Steam Print.

MARRIAGE LICENSE

No.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss:

To Any Person Authorized by Law to Solemnize Marriage, Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony, between Mr. W. E. Dill of Graham in the Indian Territory, aged 38 years, and Miss Phenny Linatt of Elk, in the Indian Territory, aged 36 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness my hand and official Seal, this 26 th day of Aug. A. D. 1902

C. M. Campbell,
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss: I, Chas C Creith a minister of the Gospel do hereby certify that on the 26th day of August, A. D. 1902, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 26th day of August A. D. 1902

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book C, Page 51

Chas. C Creith
a minister of the Gospel

NOTE—The person officiating should fill in the spaces for book and page and sign here.—Ed

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100).

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office.

7-2731

Muskogee, Indian Territory, October 29, 1904.

William E. Dill,

Elk, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of October 26, 1904, in which you state that you married Phena Surrat on the 26th day of August 1902, under the laws of the United States; that said Phena Surrat, now Phena Dill is a citizen by blood of the Choctaw Nation, and you desire to be informed if you are entitled to any right as an intermarried Choctaw.

In reply to your letter you are informed that Pena Surrat has been enrolled by the Commission as a citizen by blood of the Choctaw Nation and her enrollment as such approved by the Secretary of the Interior. It does not appear, however, that application has been made by you or on your behalf for enrollment as an intermarried citizen of said Nation, and under the provisions of the Act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

1903

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
I. 3170

Muskogee, Indian Territory, November 11, 1904.

Commission to the Five Civilized Tribes,

Choctaw-Chickasaw Enrollment Division.

Gentlemen:

Referring to Choctaw Cards 2731 and 5329, there is herewith inclosed a copy of the testimony taken before the Creek Enrollment Division October 31, 1904, in the matter of one David Adams.

You are requested to advise the Creek Enrollment Division whether application has been made for the enrollment of said David Adams as a citizen of the Choctaw Nation, and in the event that such application has been made, the present status of the case.

Respectfully,

Chairman.

HGH-211-11

I-3170
7-2731

Muskogee, Indian Territory, November 14, 1904.

Commission to the Five Civilized Tribes,

Creek Enrollment Division.

Muskogee, Indian Territory.

Gentlemen:-

Receipt is hereby ackowledged of your letter of November 11, 1904, enclosing copy of the testimony taken October 31, 1904, in the matter of the enrollment of David Adams, and you request to be advised if application has been made for the enrollment of said David Adams as a citizen of the Choctaw Nation.

In reply to your letter you are advised that it does not appear from our records that application has been made to the Commission for the enrollment of David Adams as a citizen of the Choctaw Nation.

Respectfully,

Chairman.

2741 martin whistler choc

2741

CHOCTAW

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Ethel N Whistler

as a citizen of

Choctaw Nation.

Approved, NOV 2 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 2 1901

ACTING CHAIRMAN

CHOCTAW.

2741

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Etna Whistler (Here insert name of child), born on the 14th day of September, 1901

Name of Father: Martin Whistler, a citizen of the Choctaw Nation.

Name of Mother: Nancy Whistler, a citizen of the Choctaw Nation.

Post-office. Brazil I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nancy Whistler, on oath state that I am 22 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Martin Whistler, who is a citizen, by blood, of the Choctaw Nation, that a Female (male or female) child was born to me on the 14th day of September 1901; that said child has been named Etna Whistler, and is now living.

Nancy Whistler her + mark

WITNESSES TO MARK
(Must be Two Witnesses) M. P. Wright
J. S. Dothier

Subscribed and sworn to before me this 30th *day of* October 1901.

E. R. Goode
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mollie McCurtain, age 32, on oath state that I attended on Mrs. Nancy Whistler, wife of ~~Frank~~ Martin Whistler on the 14th day of September, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Etna Whistler.

Mollie McCurtain her + mark

WITNESSES TO MARK:
(Must be Two Witnesses) M. P. Wright
J. S. Dothier

Subscribed and sworn to before me this 30th *day of* October 1901.

E. R. Goode
NOTARY PUBLIC

Muskogee, Indian Territory, October 16, 1901.

Mr. Martin Whistler,

Brazil, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Etna Whistler, the infant daughter of Martin and Nancy Whistler, born September 14, 1901, and the same is returned to you herewith for the reason that the affidavit of Nancy Whistler has not been duly sworn to before a notary public or other authorized officer.

The Commission has a blank form in use for the purpose of receiving applications for the enrollment of infant children whose parents are listed for enrollment, one of which is enclosed herewith, and thereon may be stated all the information necessary in the matter of the enrollment of your child. Upon the proper execution of the same, and its return to this office, the matter will receive further consideration.

Yours truly,

Acting Chairman.

7-2741
MoM
198

Muskogee, Indian Territory, November 2, 1901.

Martin Whistler,

Brasil, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Etna Whistler, the infant daughter of Martin and Nancy Whistler, born September 14, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2741

2742 F. Greenwood LeFlore Choc

2742

IN RE

Application for Enrollment of

INFANT CHILD.

Florence L. Le Flon

As a citizen of the

Choctaw Nation.

Approved June 15 1894

[signature] Commissioner.

[illegible] 25

7-2742

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Florance L. Leflore, born on the 18th day of June, 1898.

Name of father: Green F. Leflore, a citizen of the Choctaw Nation.

Name of mother: Lena A Leflore, a citizen of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lena A. Leflore, on oath, state that I am 24 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Green F Lefloe who is a citizen, by Blood, of the Choctaw Nation; that a Girl child was born to me on the 18th day of June, 1898; that said child has been named Florance L. Lefloe, and is now living.

Lena A Lefloe

Subscribed and sworn to before me this 14th day of June, 1899.

J. N. Bowman

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, F. W. Johnson, a Physician, on oath, state that I attended on Mrs. Lena Lefloe, wife of Green F. Lefloe on the 18 day of June, 1898; that there was born to her on said date a girl child; that said child is now living and is said to have been named Florance L. Lefloe.

F. W. Johnson M.D.

Subscribed and sworn to before me this 14th day of June, 1899.

J. N. Bowman

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Greenwood Le Flore

As a citizen of the

Choctaw Nation.

Approved MAY 24 1900

Commissioner.

FILED
MAR 28 1900
COMMISSION TO FIVE TRIBES.

Choc. 2742

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Greenwood Le Flore, born on the 5 day of March, 1900.
Name of father: Greenwood F. Le Flore, a citizen of the Choctaw Nation.
Name of mother: Leona Le Flore, a citizen of the Choctaw Nation.
Post Office: Oak Lawn I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Leona Le Flore, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Greenwood F. Le Flore who is a citizen, by blood, of the Choctaw Nation; that a Male child was born to me on the 5 day of March, 1900; that said child has been named Greenwood Le Flore and is now living.

Leona Le Flore

Subscribed and sworn to before me this 24 day of March, 1900.

Frank E. Pike
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Rebecca Lanier, a midwife, on oath, state that I attended on Mrs. Leona Le Flore, wife of Greenwood F. Le Flore on the 5 day of March, 1900; that there was born to her on said date a male child; that said child is now living and is said to have been named Greenwood Le Flore.

Rebecca Lanier

Subscribed and sworn to before me this 24 day of March, 1900.

Frank E. Pike
Notary Public.

7-3748.

Muskogee, Indian Territory, January 30, 1903.

J. Wesley Smith,

Attorney at Law,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th inst, enclosing the application for enrollment as a citizen of the Choctaw Nation of Ruth LeFlore, infant daughter of Greenwood F. and Leona A. LeFlore, born December 17, 1902.

Your attention is invited to the following provision of section 34 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

J W S 2

Under the above legislation, the Commission is now without authority to enroll this child.

Respectfully,

Acting Chairman.

7-2742

Muskogee, Indian Territory, March 28, 1905.

F. Greenwood LeFlore,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Leona A. LeFlore and C. H. Mahar to the birth of Mable LeFlore, daughter of F. Greenwood and Leona A. LeFlore, February 3, 1904, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.

7-2742

Muskogee, Indian Territory, June 8, 1906.

Alfred F. Bissell,

Spiro, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 30, 1906, transmitting the affidavits of Leona A. LeFlore and Charles H. MaHar M. D., to the birth of Forbes LeFlore, child of F. Greenwood LeFlore and Leona A. LeFlore, May 30, 1905, and the same have been filed with the records of this office as an application for the enrollment of said child.

Respectfully,

Commissioner.

2743 Hannah Cartwright Choc

2743

7-2743

Muskogee, Indian Territory, April 13, 1906.

Mrs. Hannah Cartwright,

Non, Indian Territory.

Dear Madam:

Your letter of March 30, 1906, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you ask why it is that intermarried persons must give their surplus allotments to lawyers in order to be enrolled; you state that you have a husband and two sons in law who desire to be enrolled as intermarried citizens.

In reply to your letter you are advised that you do not mention the names of the persons referred to in your letter and it is therefore impracticable to advise you whether or not application has been made for their enrollment as intermarried citizens of the Choctaw Nation.

You are informed, however, that if no such application was made prior to December 25, 1902, there is now no authority for the reception of original applications for enrollment in the Choctaw and Chickasaw Nations.

You are further advised that the matter of the employment of attorneys is one which is entirely within the discretion of

7-2743

Muskogee, Indian Territory, February 5, 1907.

Maud Deloach,

Lon, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of January 28, 1907, giving information relative to the names of your parents. You state that your father's name is Jim Deloach and your mother's name was Hannah Cartwright.

In reply to your letter you are advised that if you will state for what purpose this information was forwarded, the matter will receive consideration.

Respectfully,

Commissioner.

2744 Maud Johnson cbc

2744

CHOCTAW.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Sarah Johnson

as a citizen of

Choctaw Nation.

Approved, APR 24 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 24 1901

ACTING CHAIRMAN

CHOCTAW.

2744

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Judson Lemley, born on the 18th day of Feb, 1901

(Here insert name of child)

Name of Father: J. O. Johnson, now a citizen of the Choctaw Nation.

Name of Mother: Maude Johnson, a citizen of the Choctaw Nation.

Post-office, Oak Lodge Ind. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Central District. }

I, Maude Johnson, on oath state that I am 20 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of J. O. Johnson, who is now a citizen, by Blood, of the Choctaw Nation, that a girl (male or female) child was born to me on the 18th day of Feb 1901 that said child has been named Sarah Johnson, and is now living.

Maude Johnson

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 20th *day of* April *1901.*

Edwin L. Heatman
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Central District. }

I, Nancy J Wilkett, a Mid Wife, on oath state that I attended on Mrs. J. O. Johnson, wife of J. O. Johnson, on the 18th day of Feb, 1901 that there was born to her on said date a girl (male or female) child; that said child is now living and is said to have been named Sarah Johnson.

Nancy J Wilkett

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 20th *day of* April *1901.*

Edwin L. Heatman
NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD.

Ola Johnson

As a citizen of the

Choctaw Nation.

Approved June 16 1899

Commissioner.

Card No. 72144

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Ola Johnson, born on the 6 day of May, 1898.

Name of father: Jep Johnson, a citizen of the U. S. Nation.

Name of mother: Maud Johnson, a citizen of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Maud Johnson, on oath, state that I am 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Jep Johnson who is a citizen, ~~by~~ Nativity, of the U. S. Nation; that a girl child was born to me on the 6 day of May, 1898; that said child has been named Ola Johnson, and is now living.

Maud Johnson
her

attest
Geo H Dunkley
Mark

Subscribed and sworn to before me this 15 day of June, 1899

Frank E. Parke
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, D. R. Shaddon, a Physician, on oath, state that I attended on Mrs. Maud Johnson, wife of Jep Johnson on the 6 day of May, 1898; that there was born to her on said date a girl child; that said child is now living and is said to have been named Ola Johnson.

Dr. R. Shaddon

Subscribed and sworn to before me this 15 day of June, 1899

Frank E. Parke
Notary Public.

Muskogee, Indian Territory, March 19, 1901.

J. P. Johnson,

Oak Lodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Sarah Johnson, the infant daughter of J. P. and Maude Johnson, born February 18th, 1901, and the same is returned to you herewith for the reason the same is not in proper form.

It appears that the signatures of the mother and attending nurse and the Notary Public are all in the same handwriting, and if the mother and attending nurse making affidavit to the birth of this child are unable to write, it will be necessary that they sign such affidavits by mark and there must be two witnesses to such marks.

There is enclosed you herewith a new blank application for the enrollment of an infant child and upon the return of the same in proper form and with the signatures of the mother and attending nurse attested by two disinterested parties as witnesses thereto, if such signatures are by mark, the matter of the application for the enrollment of this child will be given further consideration.

Yours truly,

Encs dd

BC

Acting Chairman.

Muskogee, Indian Territory, April 24, 1901.

Mr. J. P. Johnson,

Oaklodge, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of the application for enrollment, as a citizen of the Choctaw Nation, of Sarah Johnson, the infant daughter of J. P. and Maud Johnson, born February 18, 1901, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

In the affidavit of the mother, it is stated that she is 20 years of age and a citizen by blood of the Choctaw Nation, that she is the lawful wife of J. P. Johnson who is a citizen by blood of the Choctaw Nation. If this statement be true, that you are a citizen by blood of the Choctaw Nation, you are requested to inform the Commission when and where you appeared for enrollment, together with the names of other members of your family with whom you were enrolled and such other information as you may have that will enable the Commission to identify you as a citizen by blood of the Choctaw Nation. You are further informed that the records of the Commission show that you are a non-citizen. You are requested to give this matter your early attention.

Yours truly,

7-2744

Acting Chairman.

Muskogee, Indian Territory, May 24, 1901.

Mr. J. P. Johnson,

Oaklodge, Indian Territory.

Dear Sir:

Referring to the application for enrollment as a citizen of the Choctaw Nation of Sarah Johnson, the infant daughter of J. P. and Maud Johnson, receipt of which was acknowledged by the Commission April 4, 1901, and alluding to the statement contained in the application as well as in the affidavit of the mother to the birth of the Child that you were a citizen by blood of the Choctaw Nation, you were requested to inform the Commission when and where you appeared for enrollment as such. In your letter of the 20th inst., which is hereby acknowledged you say that you are a citizen by intermarriage.

You are informed that the records of the Commission do not show that you ever have made application for enrollment as an intermarried citizen of the Choctaw Nation, but, on the contrary the records do show that you are a non-citizen, and the statement contained in the affidavit of the mother to the birth of the child is incorrect, and you are advised that the same has been corrected to conform to the records of the Commission.

Yours truly,

Y-2544. Acting Chairman.

7-2744.

Muskogee, Indian Territory, March 9, 1907.

D. D. Brunson,

Coalgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 25, 1907, wherein you state that J. P. Johnson was married about ten years ago in the State of Arkansas to Maud Johnson, an enrolled Choctaw, whose post office is now Non, I. T., and request the status of his claim as an intermarried Choctaw.

In reply you are advised that it does not appear from the records of this office that application has been made by or on behalf of J. P. Johnson as a citizen by intermarriage of the Choctaw Nation, and in this connection your attention is invited to the following provision of the Act of Congress approved April 26, 1906:

> "That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application; . . . . . "

You are further advised that under said Act the Secretary

of the Interior is without authority to approve the enrollment of any person subsequent to March 4, 1907.

Respectfully,

Commissioner.

2745 Ebenezer TOM Choc

2745

Empty

2746 Simeon Tom Choc

2746

CHOCTAW.

32. INDEXED

IN RE
THE DEATH OF

Isabell Tom

a citizen of the

Choctaw *Nation.*

Approved JUN -6 1901 *1*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 6 1901

ACTING CHAIRMAN

CHOCTAW.

2746

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Isabell Tom (Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near Iron Bridge (Here insert name of post office.), Ind. Ter., and died on the 4th day of April 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Simeon Tom on oath state that I am 42 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge (Here insert name of post office.), Ind. Ter.; that I am the Husband (State relationship, as: the father; an uncle; a cousin, etc.) of Isabell Tom (Here insert name of deceased.), who was a citizen, by Blood, of the Choctaw Nation; and that said Isabell Tom (Here insert name of deceased.) died on the 4th day of April 1901.

Simeon Tom

WITNESSES TO MARK.

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st *day of* June 1901

M. W. Newman

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Forbes Leflore, on oath state that I am 17 years of age, and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge (Here insert name of post office.) Ind. Ter.; that I was personally acquainted with Isabell Tom (Here insert name of deceased.) who was a citizen, by Blood, of the Choctaw ~~Nation~~; and that said Isabell Tom (Here insert name of deceased.) died on the 4th day of April 1901.

Forbes Leflore

WITNESSES TO MARK.

(Must be Two Witnesses)

Subscribed and sworn to before me this 1st *day of* June 1901

M. W. Newman

Notary Public.

CHOCTAW.

20

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Elias Tom

as a citizen of

Choctaw Nation.

Approved, MAR 4 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 4 1902

ACTING CHAIRMAN.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Elias Tom (Here insert name of child), born on the 19th day of June, 1898
Name of Father: Aron Tom, a citizen of the Choctaw Nation.
Name of Mother: Isabel Tom, a citizen of the Choctaw Nation.
Post-office, Iron Bridge I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
_____ District.

I, _____, on oath state that I am _____ years of age and a citizen, by _____, of the _____ Nation; that I am the lawful wife of _____, who is a citizen, by _____, of the _____ Nation, that a _____ (male or female) child was born to me on the _____ day of _____ 1____; that said child has been named _____, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this _____ *day of* _____ *190* .

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central District.

I, Mandy Tom, a _____, on oath state that I ~~attended on~~ was present at Mrs. Isabel Toms, wife of Aron Tom, on the 19th day of June, 1898, that there was born to her on said date a Male Child (male or female) child; that said child is now living and is said to have been named Elias Tom.

WITNESSES TO MARK:

(Must be Two Witnesses)

Mandy Tom

Subscribed and sworn to before me this 28th *day of* July *190*2.

W. W. Neuman
NOTARY PUBLIC.

CHOCTAW.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Yancy Tom

as a citizen of

Choctaw Nation.

Approved, MAY 23 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 23 1901

ACTING CHAIRMAN

CHOCTAW.

2746

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bencey Tom (Here insert name of child), born on the 16th day of March 1901
Name of Father: Simeon Tom, a citizen of the Choctaw Nation.
Name of Mother: Isabel Tom, a citizen of the Choctaw Nation.
Post-office, Spiro Bridge I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Simeon Tom, on oath state that I am 42 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Isabel Tom (Deceased), who is a citizen, by Blood, of the Choctaw Nation, that a Female (male or female) child was born to ~~me~~ my Wife on the 16th day of Mar 1901; that said child has been named Bencey Tom, and is now living.

Simeon Tom

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th *day of* May *1901.*

W W Newman NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Vicey Perry, a Mid Wife, on oath state that I attended on Mrs. Isabel Tom, wife of Simeon Tom, on the 16th day of Mar 1901; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Bencey Tom

her
Vicey X Perry
mark

WITNESSES TO MARK:

(Must be Two Witnesses) Daniel Scott.
Simon Isaac

Subscribed and sworn to before me this 18th *day of* May *1901.*

W W Newman NOTARY PUBLIC

7-2746

CHOCTAW.

20[illegible]

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of

Chickasaw Nation.

Approved DEC 21 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 21 1902

ACTING CHAIRMAN.

2-2746

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Adam Hawkin (Here insert name of child.), born on the 10th day of March, 1901

Name of Father: Edward Hawkin a citizen of the Choctaw Nation.

Name of Mother: Mandy Hawkin a citizen of the Choctaw Nation.

Post-office Green Bridge St

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, Mandy Hawkins, on oath state that I am 22 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Edward Hawkin, who is a citizen, by Blood, of the Choctaw Nation; that a Male (male or female.) child was born to me on 10th day of March 1901; that said child has been named Adam Hawkins, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Mandy Hawkin

Subscribed and sworn to before me this 16th *day of* Dec 1902.

M W Newman
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central District,

I, Simeon Tom, a ....., on oath state that I ~~attended on Mrs.~~ am the Father, ~~wife~~ of Mandy Hawkins and on the 10th day of March, 1901; that there was born to her on ~~said date~~ a Male (male or female.) child; that said child is now living and is said to have been named Adam Hawkins.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Simeon Tom

Subscribed and sworn to before me this 16th *day of* Dec 1902.

M W Newman
NOTARY PUBLIC

United States of America
Ind Ter
Central Dist

I, Simeon Tom on oath state that I was present on the 9th day of June 1898 when a Male Child was Born to Isabel Tom who was a Citizen of the Choctaw Nation by Blood. That She was the Lawful wife of Aron Tom who died in March 1898. And Isabel Tom the Mother of Elias Tom also died since the 1st 1901. That I am nearest of kin to said child Elias Tom being his uncle I am 41 years old and a Citizen of the Choctaw Nation by Blood.

Simeon Tom

Sworn to and Subscribed Before Me This The 28th day of Feb 1902.

M. W. Newman
Notary Public

Choc. Roll 8040. COPY. o.k. WHA.

Sans Bois County,

Choctaw Nation.

OYE OR OF THE COUNTY AND PROBATE COURT:

THE CHOCTAW NATION TO SIMEON WOOD, GREETING:

In the Probate Court of Sans Bois County, held on the First Monday of November, A. D. 1902, at Kinteh, I. T., the seat of justice of said county, you were appointed Guardian of the person and estate of Albert Tom, Ben Tom, Eliza Tom, Wilson Tom, Eziza Tom, orphans of AAron Tom, deceased, of said County.

Therefore you are empowered and required fully and faithfully to perform this trust, to ask, levy, recover and receive, all the estate preal and personal, of your said wards, to render to our said Court inventory thereof, as well as any and all annual or other accounts of the same, and to do all things connected with said trust according to law and the orders and decrees of said Court therein.

In witness whereof I have set my hand and the seal of the said County Office this third day of November, A. D. 1903.

(signed) JOHN W WYERS,

SEAL: County and Probate Clerk, Sans Bois County, C. N.

Attest by Deputy:

_____

Deputy Clerk, Sans Bois County, C. N.

-1-

Fred V. Kinkade being first duly sworn on oath states that above and foregoing is a true, full and correct copy of the original now on file in Choctaw allotment jacket No. 8040 at the Choctaw Land Office of the Commission to the Five Civilized Tribes.

Fred V Kinkade

Sworn to before me this 5th day of November, 1903.

W H Shelby

Notary Public.

Muskogee, Indian Territory, May 23, 1901.

Mr. Simeon Tom,

Ironbridge, Ind. Ter.

Dear Sir;-

The Commission is in receipt of an application for the enrollment as a citizen of the Choctaw Nation of Genoy Tom, the infant dughter of Simeon and Isabel Tom, born March 16, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-2746.

Acting Chairman.

Muskogee, Indian Territory, May 23, 1901.

Mr. Simeon Tom,

Ironbridge, Ind. Ter.

Dear Sir;-

Referring to the application for the enrollment of your child Genoy Tom, receipt of which was acknowledged this day by the Commission, it is noted by the Commission that your wife Isabel Tom is dead. For the purpose of making her death a matter of record, there is enclosed you herewith a blank for making proof of her death.

In having the same executed be careful to see that all blanks are properly filled, all names written in full. You will observe that there is an affidavit for a relative and an acquaintance and in event that either the relative, or the acquaintance are unable to write and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

The notary public acknowledging the affidavits, must affix his notarial seal and jurat to each separate affidavit. There is enclosed an envelope for your reply. [redacted] attention is requested to this matter. [redacted]

Yours truly,

7-2746.
D C.

Acting Chairman.

Env.

Muskogee, Indian Territory, June 6, 1901.

Simeon Tom,

Starr, Indian Territory.

Dear Sir:

The Commission is in receipt of the affidavits of yourself and Forbes Lefiore relative to the death of your wife Isabell Tom, on the 4th day of April, 1901.

The same has been duly filed and made a part of the records of the Commission. You have our thanks for your attention to this matter.

Yours truly,

Acting Chairman.

7-2746

Muskogee, Indian Territory, February 4, 1902.

Simeon Tom,

Ironbridge, Indian Territory.

Dear Sir:

It does not appear from the records of the Commission that any proof of the birth of your child, Esias Tom, has been furnished in the matter of his enrollment as a citizen of the Choctaw Nation. It is necessary that the same be supplied.

In order to assist you in this matter a blank for that purpose is inclosed you herewith. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in the event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

This matter should receive prompt attention as the affidavits are essential in the matter of the enrollment of your child.

Yours truly,

Acting Chairman.

7-2746
Env.
B. C.

7-2746

Muskogee, Indian Territory, March 4, 1902.

Simeon Tom,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Mandy Tom relative to the birth of Esias Tom, minor child of Aaron and Isabelle Tom, on June 19, 1898, and the same have been accepted and duly filed with the records of the Commission as evidence of the birth of this child.

Yours truly,

Commissioner in Charge.

Copy of letter from
M. W. Mc[illegible]
relative to marriage
between Mandy Tom
and Edward Harkins

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 2[illegible] 1902

[illegible] ACTING CHAIRMAN

Copy

Iron bridge I.T.

Dec 16" 1902

Commission to the Five tribes

It Seems that the Father of this child deserted its mother 9 years ago & it has not been enr lled. Mandy Hawkin is a Daughter of Simeon Tom. She was married to Hawkins in March 1900 by Phillip Byington Deseaced. The Mother made an effort to go to Wister Junction but Could not get there on account of high Water and She had no Money to pay her way on the train.

Respectfully

W. Newman

M.P.

7-3686
7-3746

Muskogee, Indian Territory, December 24, 1902.

M.W. Newman,

Ironbridge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Adam Hawkins, infant son of Edward and Mandy Hawkins, born March 10, 1901; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

7-2746

Muskogee, Indian Territory, October 22, 1903.

L. C. Lockley,

Blaine, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 15, enclosing a certified copy of the letters of adoption, issued June 1, 1903, to your wife, Cillin Lockley, in behalf of Jincy Lockley, who you state was formerly Jincy Tom. You ask to be informed what steps are necessary in order to have the name of this child changed upon the rolls from Jincy Tom to Jincy Lockley.

In reply to your letter you are informed that the Commission is making the rolls of the citizens of the Choctaw and Chickasaw Nations as of September 25, 1902, the date of the final ratification by the citizens of the Choctaw and Chickasaw Nations, of the Act of Congress approved July 1, 1902, and the names by which the citizens of these two Nations were known and to which they were entitled on that date are the names under which they have been enrolled and will receive allotment of lands.

You are further informed that it appears from our records that Cency Tom has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and on January 17, 1903, her enrollment

L. C. L. 2

was approved by the Secretary of the Interior. It is not seen, therefore, how your request to have the name of this child changed upon the rolls from Cency Tom to Jincy Lockley can be granted.

The certified copy of the letters of adoption forwarded with your letter is herewith returned.

Respectfully,

Commissioner in Charge.

Enc. F. H.---1

2747 Lizzie Rockman doc

2747

T OF THE INTERIOR,

THE FIVE CIVILIZED TRIBES.

JAN 2 1900

Muskogee, I.T., December 30, 1899.

itory.

h certificate in the matter of the ap-
your child, Leona May, as a Choctaw
reason that notarial seal is lacking
This must be supplied and the certif-
e.

is Commission do not show your wife,
rolled citizen of the Choctaw nation,
as ever been enrolled and if so, when,
This is of paramount importance as the
e mother is not.

Acting Chairman.

ALEXANDER S. McKENNON,
THOMAS B. NEEDLES.
ALLISON L. AYLESWORTH, Secretary.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

JAN 2 1900

Muskogee, I.T., December 30, 1899.

Mr. Joseph E. Rockman,

Garland, Indian Territory.

Dear sir:

The inclosed birth certificate in the matter of the application for enrollment of your child, Leona May, as a Choctaw citizen, is returned for the reason that notarial seal is lacking on the mother's affidavit. This must be supplied and the certificate returned to this office.

The field records of this Commission do not show your wife, Lizzie Rockman, to be an enrolled citizen of the Choctaw nation. Advise at once whether she has ever been enrolled and if so, when, where, and under what name? This is of paramount importance as the child cannot be enrolled if the mother is not.

Yours truly,

Acting Chairman.

Inclosure #66.

In matter of the
enrollment of
Leona M. Rockman

Pending

66

20

IN RE

Application for Enrollment of

INFANT CHILD.

Leona M. Rockman

As a citizen of the

Nation.

Approved MAY 24 1900 1

Commissioner.

[illegible] 2147

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Leona May Rockman born on the 1st day of September, 1899.

Name of father: Joseph E Rockman, a citizen of the U. S. Nation.

Name of mother: Lizzie Rockman, a citizen of the Choctaw Nation.

Post Office: Garland Ind-Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Rockman on oath, state that I am 24 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Joseph E Rockman who is a citizen, by Adoption, of the Choctaw Nation; that a Girl child was born to me on the 1st day of September, 1899; that said child has been named Leona May, and is now living.

Lizzie Rockmon

Subscribed and sworn to before me this 14 day of September, 1899.

C. C. Jones

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J. C. Lindsay, a Doctor, on oath, state that I attended on Mrs. Lizzie Rockman, wife of Joseph E Rockman on the 1st day of September, 1899; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Leona May.

J. C. Lindsay M.D.

Subscribed and sworn to before me this 14th day of September, 1899.

C. C. Jones

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

William N. Richman

As a citizen of the

Choctaw Nation.

Approved Jan 27 1899

Commissioner.

Card No 2111

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of William H. Rockman, born on the 1st day of December, 1896.

Name of father: Joseph Rockman, a citizen of the U S Nation.

Name of mother: Lizzie Rockman, a citizen of the Choctaw Nation.

Post Office: Garland Ind. Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Rockman, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Joseph Rockman who is a citizen, [redacted], of the U S Nation; that a male child was born to me on the 1st day of December, 1896; that said child has been named William H. Rockman and is now living.

Lizzie (X) Rockman,

Subscribed and sworn to before me this 27th day of June, 1899.

Christopher C. Jones

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J C Lindsay, a Physician, on oath, state that I attended on Mrs. Lizzie Rockman, wife of Joseph Rockman on the 1 day of December, 1896; that there was born to her on said date a Male child; that said child is now living and is said to have been named William H. Rockman.

J. C. Lindsay M. D.

Subscribed and sworn to before me this 27th day of June, 1899.

Christopher C Jones

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Leona May Rockman.

As a citizen of the

Choctaw Nation.

Approved MAY 24 1900

Commissioner.

FILED
APR 27 1900
COMMISSION TO THE FIVE TRIBES

Choctaw.
2747.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Leona May Rockman born on the 1 day of Sept, 1899
Name of father: Joseph E Rockman, a citizen of the U S ~~Nation~~.
Name of mother: Lizzie Rockman, a citizen of the Choctaw Nation.
Post Office: Garland I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Lizzie Rockman on oath, state that I am 25 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Joseph E Rockman who is a citizen, by Intermarriage of the Choctaw Nation; that a Girl child was born to me on the 1 day of Sept., 1899; that said child has been named Leona May Rockman and is now living.

Lizzie Rockman

Subscribed and sworn to before me this 21 day of April, 1900.

J S Stigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, J C Lindsay, a Physician, on oath, state that I attended on Mrs. Lizzie Rockman, wife of Joseph E. Rockman on the 1st day of September, 1899; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Leona May.

J C Lindsay M. D.

Subscribed and sworn to before me this 21 day of April, 1900

J S Stigler
Notary Public.

#779.

In re. enrollment of
Lizzie Brown.

Name not appear on either Choctaw or Chickasaw Indian or freedman rolls.

In 1893 roll, appears under Pickens county, Choctaw Nation, as:
Lizzie Brown, age 20,
with two children:
Hannah Brown, age 2y:
Robert Brown, age 8 mos.

Do not on 1896 roll, as either Lizzie Brown or Lizzie

4/26/1900

Mr Aylesworth:

Find Lizzie Rockman duly enrolled on Choctaw card 2747. See record correspondence with Joseph Rockman

Emerson

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
ARCHIBALD S. McKENNON,
THOMAS B. NEEDLES.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, January 26, 1900.

Mr. Joseph Rockman,

Garland, Indian Territory,

Dear Sir:

Referring to your letter of January 16, the name of Lizzie Rockman does not appear upon the records of this Commission as having been listed for enrollment, neither is there any evidence on file showing her to have been refused. Under the circumstances the matter may rest in abeyance until the return from Washington of Commissioner McKennon, and you will be advised later as to the proper course to pursue.

Yours truly,

Acting Chairman.

Chootaw 2747

Muskogee, Indian Territory, December 5, 1902.

Joseph E. Rockmon,

Quinton, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 27, asking if you should appear again before the Commission at South McAlester for the purpose of enrolling your family. You also state that you were married to Lizzie Brown under a United States license and you wish to be advised if you can marry again under Chootaw law and be entitled to allotment of lands and distribution of the tribal property of the Choctaws and Chickasaws.

In reply to your letter you are advised that it would be well for you to appear before the Commission at South McAlester for the purpose of checking up the names of your family, in the preparation of the rolls of the citizens of the Chootaw and Chickasaw Nations for submission to the Secretary of the Interior.

Relative to that part of your letter in which you ask if you could procure a Chootaw license and marry your wife and be entitled to share in the distribution of tribal property, your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Chootaw and Chickasaw Nations on September 25, 1902:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as 'delinquents', and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

Respectfully,

Acting Chairman.

Choctaw 2747.

Muskogee, Indian Territory, May 24, 1904.

J. E. Rockman,

Garland, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 14, in which you state that you have a son born October 15, 1903, and wish to know if he is entitled to enrollment.

In reply to your letter, your attention is invited to the following provision of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902:

"The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission; and no child born thereafter to a citizen or freedman and no person intermarried thereafter to a citizen shall be entitled to enrollment or to participate in the distribution of the tribal property of the Choctaws and Chickasaws."

Under the above provision, the Commission is without authority to enroll children born to recognized citizens of the Choctaw and Chickasaw Nations subsequent to September 25, 1902.

Respectfully,

2748 Senora W. Williams choc

2748

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of-

SARAH E. WILLIAMS 7-2748.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 2748
Intermarried

----------oOo----------

In the matter of the application of Sarah E. Williams for enrollment as an intermarried citizen of the Choctaw Nation.

Sarah E. Williams being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Sarah E. Williams.
Q How old are you? A Twenty years old.
Q What is your post office address? A Cowlington.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Three years.
Q Have you lived here continuously for the past three years?
A Yes sir.
Q Where did you live prior to that? A Panama.
Q Well, that's in the Choctaw Nation isn't it? A Yes sir.
Q Well, my question was "How long have you lived in the Choctaw Nation"? A All my life.
Q Have you never made your home anywhere else? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Senora W. Williams.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to this man? A Four years ago.
Q Where was this marriage ceremony performed? A Farmers, in the Choctaw Nation.
Q Is Farmers a post office? A Yes sir.
Q Who married you; who performed the marriage ceremony? A McGee.
Q Is he a minister of the gospel? A Yes sir.
Q Were you ever married before your marriage to Senora W. Williams?
A No sir.
Q Was he ever married before his marriage to you? A Yes sir, once.
Q Do you know the name of his former wife? A Emma Perkins.
Q Was she dead at the time of your marriage to him? A Xxx I don't know whether she was or not.
Q Had they been separated? A Yes sir.
Q Had they been divorced? A Yes sir.
Q Since your marriage to Senora W. Williams have you lived together continuously as husband and wife up to the present time? A Yes sir.

Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

S. W. Williams being called as a witness and duly sworn, testified as follows:

Q What is your name? A S. W. Williams.
Q How old are you? A Thirty-five.
Q What is your post office address? A Cowlington.
Q Are you a Choctaw Indian by blood? A Yes sir.
Q Are you the husband of this woman, Sarah E. Williams? A Yes sir.
Q Were you married before your marriage to her? A Yes sir.
Q How many times before? A Twice.
Q What was the name of the first one? A Mary Hoover. The maiden name of the second one was Perkins, but she was the widow Rush when I married her.

By Simon Lewis:

Q She was a widow when you married her? A Yes sir.

By the Commission:

Q Were you separated from these women or did they die? A Yes sir, separated from both of them.
Q From both of them? A One of them went--I was off on business--the second one got my brother-in-law to move her to her father's in the States while I was off tending to some business. I wouldn't go back in the States for the Nation was my home.

By Simon Lewis:

Q But you separated from both of them? A Yes sir.

By the Commission:

Q Were you divorced from each one of these women? A Yes sir.
Q Where were you divorced from Mary Hoover? A Choctaw Nation.
Q In the Choctaw tribal courts? A Yes sir.
Q When was that divorce granted you? A Well, I will just explain the whole thing and you can count it just as you please. I will tell it just like it is, let it be all for the better or all for the worse. She was a widow and she told me she had a divorce from her husband and I married her.
Q That's your first wife? A Yes sir; and just a short time after we married, her husband came into the settlement and they were never divorced, and as quick as I found that out I said to myself I am living in adultery and I will just quit and I went to South

Canadian before a notary public and had witnesses to the effect that she stated to me wrong.

Q Were you divorced from this woman? A That marriage has never been recorded on any records. I was going on to have the certificate recorded but as quick as I found that out I quit.

Q You were not formally divorced from this woman? A No sir, I was informed that there was no need of it; that I was in adultery and I quit before I went to tie myself further.

Q You understood that this woman had a former husband from whom she had not been divorced? A Yes sir, and to keep from going further I quit.

Q How about your divorce from your second wife? A She sued me for a divorce and I granted to her in Ozark, Franklin County, Arkansas.

By Simon Lewis:

Q Was she living there at that time? A Yes sir.

Q She procured it while she was living in Arkansas? A Yes sir.

Q How about the children you had? A The one I had by the Perkins woman is dead and buriedon the old Alex Burns place.

Q But there's another womanbobbed up here that says her child is yours? A This first woman?

Q What year did you separate from her in? A I was twenty-one year old when we separated; it has been fourteen years ago.

Q You separated at that time? A Yes sir.

Q And you have never been with that woman since? A No sir, I haven't seen her since.

- - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause onnsaid date.

Albert G McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles K, Sawyer

Notary Public.

DEP[illegible]
COMMISSION [illegible] TR SEC
FILED
DEC 31 1903

[illegible] CHAIRMAN.

1

Ind. Territory.

Central. District.

On this 16/ day of December 1903 appears before me a Notary public for the above Named Division of Ind. Ter S. E. Bearchfield and on oath States that She knew Mrs Marry. William. Sometime ago by the Name of Marry Blankingship that is She (Marry) was living with a man by the Name of Blankingship And a few years latter about 1888 She was living with a man by the Name of Steadheam and afward they seperated and

She (Marry) came to my House to live and while She staid with me she told me that she was never Married to Eather of those last two me mentioned and after She left my House She Married a man by the Name of Marrion Hoover and they lived to geather a short time not exceeding 3 months and they seperated and

left my House She married
a man by the Name of
Marrion Hoss and they
lived to geather a short
time Not exceeding 3 months
and they seperated. and
in a short time probly
2 or three months She
married Watt Williams
and a short time they
seperated and She Came
back to my House to
live. being so well acquainted
with Mary as I Was I
am Satisfied that She
never got any Divorce
from Either of those men
that She Was married
too. being at my House
and me knowing her
Whereabouts. I can Say that
She never had any case
of any Kind in Court that
I ever had any Knowledge
of Mrs Sarah E. Birchfield

Scribed and Sworn to
before me a Notary Public
for the above Named

Municipality. I can say that she never had any case of any kind nor can that I ever had any knowledge of Mrs Sarah E. Birchfield

Scribed and sworn to before me a Notary Public for the above named District of Ind Ter and on the date above mentioned this December 16th 1903

A L Campbell
Notary Public

MISSION EXPIRES
21ST NOVEMBER, 1906.

MY COMMISSION EXPIRES
21ST NOVEMBER, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

JAN 19 1903

Emma Williams, Plaintiff.

vs. : Decree for Divorce.

S.W.Williams, Defendant.

This cause is submitted to the Court upon the Complaint,and the proof here adduced,and the Court being fully advised finds that plaintiff and defendant were married on the 5th day of November,1893,in Franklin County ,Ark.: that plaintiff Emma Williams has resided in the Ozark District of Franklin County,for more than one year next before the fileing of her complaint herein; that said defendant S.W.Williams,willfully and malicio sly abandoned and absented himself from said plaintiff in March 1895,and that they have not resided together as husband and wife since that time; that said defendant was guilty of such cruel and barbar ous treatment as to endanger the life of said plaintiff; and offered such indignities to her person as to render her condition intolerable.

It is therefore considered,adjudged and decreed that the bonds of matrimony heretofore existing between said plaintiff and defendant be desolved,set aside and held for naught,and that plaintiff be granted all the rights and privileges of feme sole.

State of Arkansas,

County of Franklin.

I,John E.Bryan,Clerk of the Circuit Court,within and for the County and State aforesaid,do hereby certify that the foregoing is a true and perfect copy of the decree rendered in the Franklin Circuit Court for the Ozark District,in the above entitled cause,at its September, term 1896,on the 24th day of September,1896,as appears of record in my office in Chancerry Record,Book "D",at page 339.

IN TESTIMONY WHEREOF,I have hereunto set my hand and affixed the seal of said Court,on this the 23rd.day of December,1902.

John E. Bryan ----------Clerk.

No. 361

CERTIFICATE OF RECORD OF MARRIAGES

UNITED STATES OF AMERICA
The Indian Territory
CENTRAL DISTRICT } SCT.

I, E. J. FANNIN, Clerk of the United States Court in the Indian Territory and District aforesaid.

DO HEREBY CERTIFY that the License for and Certificate of the Marriage of

Mr Samuel W. Williams and

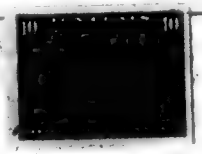
Miss Sarah E. Carter

were filed in my office in said Territory and District the 14th day of Sept A. D., 1898 and duly recorded in Book 1 of Marriage Record page 181

WITNESS my hand and seal of said Court, at Cameron this 23 day of September A. D., 1898

E. J. FANNIN, Clerk.

By J. T. Turner Deputy



No. 373

Marriage License

UNITED STATES OF AMERICA
The Indian Territory
Central District
SS.

To Any Person Authorized By Law to Solemnize Marriage – Greeting.

You are hereby commanded to solemnize the Rite and publish the Bans of Matrimony between Mr Sanorah H. Williams of Farmer in the Indian Territory, aged 31 years, and Miss Sarah E. Carter of Farmer in the Indian Territory, aged 16 years, according to law and do you officially sign and return this License to the parties therein named.

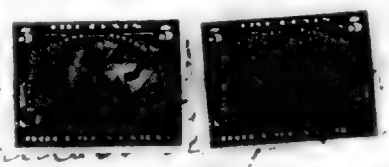
WITNESS My hand and Official Seal, this 27th day of Aug. A. D. 1898

E. J. Farmer
Clerk of the U. S. Court

T. T. Varner
Deputy

CERTIFICATE OF MARRIAGE

UNITED STATES OF AMERICA
Indian Territory
Central District
SS



I, J. E. [illegible] a Minister of [illegible]

DO HEREBY CERTIFY, That on the 28 day of Aug. A. D. 1898, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named.

WITNESS my hand this [illegible] day of Aug. A. D. 1898

My credentials are recorded in the office of the Clerk of the United States Court, in the Indian Territory, Central District, Book A Page 152

J. E. M. C. Gee
a M. G.

NOTE. This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100)

7-2748.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sarah E. Williams as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that Sarah E. Williams (nee Carter), was, on August 28, 1898, lawfully married to Senora W. Williams, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8052 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together continuously as husband and wife in said Nation from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Sarah E. Williams should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JUN 10 1904

COPY. Choctaw-2748

Muskogee, Indian Territory, June 10, 1904

Sarah E. Williams,

Panama, Indian Territory,

Dear Madam:-

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered June 10, 1904, granting your application for enrollment as a citizen of the Choctaw Nation by intermarriage.

The attorneys for the Choctaw and Chickasaw Nation have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered
Incl.7-2748.

Choctaw-2748

COPY.

Muskogee, Indian Territory, June 10,1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:-

Inclosed herewith you will find a copy of the decision of the Commission, rendered June 10,1904, granting the application of Sarah E.Williams for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered

Incl.7-2748

(See Choctaw 5603 for registry receipt for this letter).

Original Copy.
7-D-468
7-[illegible]48.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, November 6, 1905.

In the matter of the application for the enrollment of Mary Posey (7-D-468) as a citizen by intermarriage of the Choctaw Nation,

A n d

In the matter of the application for the enrollment of Sarah E. Williams (7-[illegible]) a citizen by intermarriage of the Choctaw Nation.

APPEARANCES: (For the applicant, Mary Posey, V. Hicks, appearing for J. G. Ralls, of Atoka, Indian Territory

(For the applicant, Sarah E. Williams, Thomas R. Dean, appearing for the firm of McKennon & Dean, of South McAlester, Indian Territory.

On June 10, 1904, the Commission to the Five Civilized Tribes rendered a decision enrolling Sarah E. Williams as a citizen by intermarriage of the Choctaw Nation, it appearing from the record in said case that the applicant Sarah E. Williams was lawfully married on August 28, 1898, to Senora W. Williams, a recognized and enrolled citizen by blood of the Choctaw Nation whose name appears as No. 8052 upon the final roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior

On June 15, 1905, Mary Posey, an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation, testified that she claimed her right as such citizen by reason of her marriage to said Senora W. Williams in November, 1889.

In the matter of the application of Sarah E. Williams for enrollment as a citizen by intermarriage of the Choctaw Nation her husband, Senora W. Williams, testified that Mary Posey was living at the time of his marriage to Sarah E. Williams, but that his marriage to the applicant Mary Posey, was a nullity for the reason that she had a living husband from whom she had not been legally divorced at the time of his alleged marriage to her in November, 1889.

The record in the matter of the application for the enrollment of Mary Posey as an intermarried citizen of the

Choctaw Nation shows that she had no living husband at the time of her marriage to Senora W. Williams in November, 1889.

Mary Posey being first duly sworn testified as follows:

Examination by the Commissioner.
Q What is your name? A My name at the present time is Mary Posey.
Q How old are you, and what is your postoffice address?
A My postoffice address now is Kiowa. My age I don't exactly know for I got it burned up when the house got burned up.
Q You are the same Mary Posey who has heretofore made application to the Commission to the Five Civilized Tribes for enrollment as an intermarried Choctaw, claiming your right by reason of your marriage to a Choctaw Indian named Senora W. Williams, in November, 1889? A Yes sir.

Examination by Mr. Hicks:
Q Mrs. Posey, do you remember how long ago it was that you married "Watt" Williams (meaning Senora W. Williams).
A I don't exactly know. I can't keep up with dates because I can't read nor write.
Q I will ask you whether or not you had heard that Marion Hoover was dead before you married Senora Williams? A Yes, he was dead; if he hadn't a been I wouldn't married again.
Q How did you learn that fact? A It was wrote to me.
Q And you got that letter before tou married Williams? A Yes, before I married him.

Examination by Mr. Dean.
Q When did you marry Marion Hoover? A I don't know sir, how long ago its been; its been about sixteen year ago don't know when I married him now, to tell the truth. I don't--I married him--it was close to, about, somewhere along--I don't remember. I never tried to keep up with it.
Q How long did you live with him? A I lived with him three or four months, somewhere along there.
Q Where did you marry him? A I married him in Sans Bois bottoms.
Q Choctaw Nation? A Yes, Choctaw Nation.
Q Did you leave him or did he leave you? A He left me--we both left. He left me and I left too.
Q You both left each other? A Yes.
Q Did you get a divorce from him? A From Marion Hoover?
Q Yes. A No, I didn't need one after he was dead; he died I tell you.
Q How long did you live single before you married Williams?
A After I got that letter that he was dead and I knew he was dead, the best I can remember--I can't say. The best I can remember though, it was three or four months, it might have been a little longer I married Watt.
Q How long had you been living separate from Hoover when you received this letter telling you that he was dead? A We had been separated a good little bit. I don't know exactly how long.
Q About how long? A Well, I can't tell you about how long for I don't remember.
Q You havn't any idea? A No, I don't because I might make it a little longer than it was and I might make it shorter.
Q Had it been a year? A I don't think it had been quite a year.

Q You think it had been six months? A Might have been somewhere along there the best I remember.
Q You think it might have been less than six months? A I don't know; might have been; I don't think it was.
Q Might have been less than six months? (No answer)
Q You don't know where he went when he left you? A Went to Arkansas; at least, that's where he told me he was going.
Q He left the Territory, did he? A Yes, he left the Territory
Q And you havn't seen him since? A No, I havn't heard anything till I heard he was dead; never laid eyes on him.
Q Who wrote you this letter telling you that he was dead? A Edmonson, I think was his name; I had his letter and I got my kitchen burned up and I got his letter burned up with it.
Q When was that? A That's been a long time, when I was living at Atoka.
Q The kitchen burned up before or after you married Williams? A After I married him; after I and him was separated, but I had this letter all right.
Q Where did Edmonson live? A He lived in Arkansas where he ~~xxt~~ went.
Q Whereabouts in Arkansas? A Let me see if I can think of the place--Garland county I think.
Q Do you remember the name of the town or postoffice? A No, I don't remember nothing about that.
Q How did he happen to write you this? A I can't tell you how come him to do it, nothing about that unless he got him to write me he was going to die or did die, or something. I don't know how he come to.
Q You don't know unless he got Edmonson to write you tht he was going to die? A I don't know how; he wrote it to me like anybody else would.
Q Did you know this man Edmonson? A I wasn't well acquainted with him.
Q Did you know him at all? A Yes, I knowed him; I wasn't well acquainted with him.
Q Where did you know Edmonson? A I got acquainted with Edmonson in Sans Bois bottoms.
Q Did he live in the Choctaw Nation? A He did once and then when he left here he went to Arkansas I suppose; that was where he was going.
Q That was where he said he was going? A Yes, that was where I got that letter from anyway.
Q You hadn't written to him? A No, I didn't know--, no, I hadn't written to him.
Q Did you make any reply to that letter? A No, I never answered it. I cared so little about it I never answered it. I never cared enough about it to answer it.
Q Did he tell you about the date, or what time he died? A No, just wrote he was dead, and then I think Pink Nelson come along and told me he was dead. But where he is now, I can't tell you that.
Q Did Pink Nelson say he was dead? A Yes sir.
Q Who is Pink Nelson? A Pink Nelson, all I know.
Q Was he an Indian citizen? A No, his wife used to be though till she died. She used to be widow Parish, but she is dead now.
Q He was denied citizenship wans't he? A I don't know a thing about him.
Q Did he know your husband, Hoover? A Yes, he knowed him.
Q Did he say that he knew that he was dead, or that he heard he was dead? A He said he knew he was dead. He said, "Did you know he was dead?" and I said, yes I got a letter. He says,

"He's sure dead". That's the words what he used.
Q Did he have any property, Hoover? A Not at that time, when I lived with him.
Q Had he any since? A I don't know; I don't know what he did after he left me; I never did see him any more.
Q Had you ever married before you married Hoover? A Yes, I was married before I married him.
Q To whom? A Bill Stidham; some calls him Will.
Q When did you marry him? A I don't know when I married him.
Q Where did you marry him? A Married him in the Choctaw Nation some place.
Q Some place in the Choctaw Nation? You don't know where?
A No, they called it first one place and then another. They called that place where me and him was married Tallyville. I can't read and I don't know anything about it.
Q How long did you live with Will Stidham? A Lived with him a good bit. I got two children by him.
Q Well, how long? A I don't know.
Q Was it five years? A Yes, I guess it was.
Q Lived with him about five years? A Yes, might have been longer. Know I have got two children by him
Q What become of him? Did he die? A He died.
Q Were you living with him when he died? A Yes sir.
Q You had not separated from him? A No, I lived with him.
Q Where did you live when he died? A Sans Bois bottoms, when he died.
Q What was your postoffice there? Tamaha? A I don't know I never write no letters and don't pay no attention to any post-offive and I don't bother after no postoffices at all; if I was to get a letter today I couldn't read it.
Q Are those two children living now? A Yes sir.
Q What are their names? A My oldest son is Mell Stidham and my oldest daughter is Viola Stidham.
Q Where does Mell Stidham live? A At home three miles from Kiowa.
Q How old is he? A He will be twenty if I aint mistaken the 23rd day of this coming January. I had the ages all set down and they got destroyed.
Q Is Kiowa his postoffice? A Yes sir.
Q Were you married to anyone else before you were married to Will Stidham? A No sir.
Q Never? A No sir.
Q How many husbands have you had? A Well, my first husband was Will Stidham and the next husband was Marion Hoover and the next husband was Watt Williams.
Q This man that is present now? A Guess that's his name; looks like him
Q Also called Senora Williams? A I don't know; I only know what he told me his name was.
Q Wasn't you married to a man by the name of Will Blankinship? A No. Can he find a marriage between me and Will Blankinship? No. If he can I would like to see a marriage between me and Blankinship. I was staying at Liah Blankinships when me and him (meaning Williams) was married; his wife was living at that time and I was living there with them.
Q When you and---
A When me and Watt was married right there; he was staying with an old gentleman by the name of McCall; there was a little space between the houses, and I got acquainted with him.
Q Were Liah Blankinship and Will Blankinship related?
A I guess they was.
Q What relation? A Will and Liah I suppose was brothers; at

least they claimed to be, and Gilbert--but I wasn't married to him; he can't find any marriage between us either.
Q How long had you been living there at Blankinships?
A Before I married Watt?
Q Yes.
A I don't suppose two months. I come there to pick cotton and Watt and I picked cotten at the same place.
Q How long had you known Will Blankinship at that time?
A I don't know; I got acquainted with him just passing around. I wasn't to say acquainted with him; I just knew him when I seen him.
Q At that time you were the widow of Will Stidham were you, at the time you were living at Blankinships? A No, I had been married to Hoover, now mind you, and then I got acquainted with Watt and married him right there.
Q You were widow Hoover at that time? A Yes sir.
Q Did you go to Blankinships immediately after you and Hoover separated. A No, I went to my dady-in-law; my first husband's parents and staid there off and on along a good long while. Whenever I took a notion to go back home I would go, ; when I got ready I just come to my dady-in-laws, and I had just gone frrom there to Lisbo to pick cotton, and I got acquainted with Watt; they was principally keeping my oldest child when I would hire out; when I would be hired out his grandmother would keep him a good many times.
Q Did you ever write over there to this place in Arkansas or any other place, to ascertain whether or not Marion Hoover was dead? A No, I don't write
Q Did you ever have anyone write for you? A No. The most writing I have ever had done is since I commenced to work at this here right. I don't ever write to my sisters because I can't write myself and I don't bother nobody with it.
Q You never wrote to any person, orhad anyone write, to ascertain whether or not he was dead? A No.
Q Did you inquire of anyone or get anyone to ascertain whether or not he was dead or living? A No.
Q Did you receive this letter before or after you and Watt Williams were married? A I received this letter before we was married, and could have showed it to Williams then if I had wanted to, but I didn't think it was any of his business about the letter.
Q You didn't think it was any of his business whether Hoover was living? A I knew Hoover was dead, and if he aint, I would love to see him.
Q You knew he was dead? A Yes.
Q And the only way you knew was that you received a letter saying that he was dead? A I received a letter, and I knew it was a fact or he wouldn't wrote it, and more than that, Pink told me he was dead, and I knew he was dead.
Q Had Pink Nelson been over in Arkansas? A I don't know where he was; he traveled all the time.
Q Pink Nelson was living in the Territory at that time? Wasn't he living at Tamaha? A I don't know.
Q Wasn't he living at Sans Bois Bottoms on the widow Parrish farm? A I don't know. She had some children that was going to take that farm from him; I don't know where he was living. She had some children they said took the place away from him.
Q How long had you known Watt Williams when you married him?
A I hadn't been acquainted with him more than two months, like I told you, if I was acquainted with him that long.
Q If that long? A Yes.
Q Did you tell him that you and Hoover had been married and

Separated? A No, I don't think I ever told him about Hoover. I don't know whether I did or not.
Q And you didn't tell him that Hoover was dead? A If ever I told anything to him I don't know. I don't know whether I did or not. I never told him he was living, I can tell you that.
Q Did you tell him anything about receiving this letter-- A I don't know.
Q Informing you that Hoover was dead? A I couldn't say I did or didn't because I don't know whether I did. I don't think I said nything about it.
Q You don't think you said anything about it or showed him the letter? A He couldn't have read it if I had showed it to him.
Q Do you know that he couldn't read? A No, I don't know. I don't suppose he can, can he? If he couldn't read and I showed it to him he wouldn't know whether it was that or not, if he was like me to have someone read it for him.
Q Didn't you know that it was an important question to know whether or not Hoover was dead if you and Watt were going to marry? A I knew he was dead, I tell you, or I wouldn't have married him.
Q You said a minute ago that it was none of his business. A Of course, I said that; I don't know whether I told him or not.
Q But you said a minute ago that it was none of his business. A I said I didn't think it was; he was dead and that was enough.
Q You received a letter from a man that you didn't hardly know, saying that he was dead? A I knew that I got a letter, and then I knew one come along saysing that he was dead. I knew that too.
Q Was that before you received the letter or after that Pink Nelson told you this? A It wasn't far from the time.
Q Well, was it before or after? A I couldn't be certain but I believe he told me before I got the letter that he was dead. I wouldn't be certain about it.
Q You think it was before? A I think he told me before I got the letter but I wouldn't be certain but I think I knew then that he was dead.
Q How long before you got the letter? A I don't know just how long after I got the letter he told me that he was dead.
Q Isn't it a fact, Mrs. Posey, that you told Watt Williams that you had been married to two or three other men, but that you had been divorced from them? Divorced from each one of them? A I never told him that.
Q And that you could show the decrees of divorce? A Did I tell him that?
Q Yes. A No, I never.
Q Was it a fact? A I don't know I tell you, what I told him
Q You don't know what you told him? A No, I never paid no attention to what I did tell him, but I know I didn't need any divorce from him because he was dead, and I know they was both dead. How would I need any divorce to marry him.
Q And didn't he, a short time after you and he were married, demand of you copies of the decrees of divorce? A What? Watt, do you mean? I can't understand anything like that, like you spoke.

Q Didn't he ask you, a little while after he and you were married, to show him the decrees of divorce, or copies?
A No, he never asked me to show him nothing.
Q The papers showing that you had been divorced from these men?
A No, never did.
Q Was that the reason why he left you, because you wouldn8T show them? A No sir, I know what he left me for.
Q What was it? A I will have that writ down and handed to you before I leave here, and I can prove it.
Q It was of such a nature that you don't care to answer?
A That's right.
Q Was it a charge he made against you? Was it something with which he charged you that he left you? A No. You shall know what it was before I leave.
Q He said nothing about your being unable to show divorces from these men? A He never said anything to me about divorces in any way.
Q Did your former husband, Marion Hoover, have any brothers or sisters? A No, I never seen any of his connections nowhere. I don't know nothing about his connection. If there was anybody but himself I never seen them.
Q Do you knew when he came to the Territory? A No, I don't
Q He was a white man wasn't he? A Yes, he is a white man.
Q How long had you known him when you married him? A Well, I hadn't known him long.
Q Thirty days? A Yes, I guess it was thirty days.
Q Longer? A Might have been longer. I don't know.
Q Do you know whether or not he had a wife living when you married him? A I don't know nothing about whether he had another wife or not.
Q Did you ever ask him? A No, I did not.
Q You didn't care much did you? A Well, I just never asked him anything about it. I thought if he had another one he would tell me about it. I don't know anything about whether he had another wife or not.

Examination by the Commissioner:
Q How long did you live with Williams? A Oh, I don't remember how long I lived with Williams. I didn't keep up with the time I lived with him or when we separated or nothing about it exactly, because I couldn't.
Q You were married to him in November, 1889, wasn't you?
A I reckon I was; I don't know. Married in the fall I know, about cotton picking time.
Q Did you live with him a year? A No, I didn't live with him no year.
Q How long did you live with Williams all together, as man and wife? A Well, I don't know how long it was.
Q None of your other husbands except Williams were Choctaw Indians, were they? A No, the other two was white men.
Q Do you know where Pink Williams lives now? A No, I don't

Examination by Mr. Dean.
Q Did you leave Williams or did he leave you? A He left me right at Lish Blankinship's. Right in the house of Lish Blankinship.

Q You didn't both of your agree to it like Hoover and you?
A No, he just naturally left me. I married him to live with him, and he left me.
Q The fact is you didn't live with him more than six weeks?
A I think it was longe r than that. Seemed to me like it was.

Witness excused.

Senora W. Williams, being first duly sworn testified as follows:

Examination by the Commissioner.

Q What is your name? A Senora W. Williams.
Q Your age? A Thirty-five
Q Where do you live? A Panama.
Q Are you a citizen by blood of the Choctaw Nation.
A Yes sir.

The witness is identified upon the records of this office on Choctaw Roll Card Field No. 2748, and upon the final roll of citizens by blood of the Choctaw Nation, approved by the Secretary of the Interior as Senora W. Williams, opposite No. 8052.

Examination by Mr. Dean.

Q You were at one the married to Mary Hoover, were you not?
A Yes sir.
Q Where were you married to her? A I was married at Cowlington, Indian Territory.
Q Did you have a license? A No sir.
Q No license at all? A No sir.
Q According to what law did you marry?
A Well, I don't know whether it was called law; just went to a parson.
Q Just took her and went to a parson? Preacher, you mean?
A Yes sir.
Q Who married you? A R. L. Townley.
Q Where did you go from to Cowlington to be married?
A Went to Blain bottoms.
Q How did you travel to get there? A I went horseback.
Q You and your wife on the same horse? A Yes sir.
Q How long had you known Mary Hoover at that time? A About four or six weeks, somewhere along there; just a short time.
Q Did you have any information that she had any other husbands before you were married? A I knew she had had husbands. I was told so.
Q Did you make any inquiry of her as to whether or not they were dead or she had been divorced from them? A No, I never made any inquiry.
Q Did she tell you whether or not she had been divorced from them? A She told me she was.
Q Did she tell you the names of them? A Yes sir.
Q She said she was divorced from each of them? A She said she was, yes.
Q Did you ask her anything about being able to show that she was divorced from them? A Not until after her and I was married.
Q Not until after you were married? A Yes.
Q What did you say to her about it then? A I asked her. and told her I would like to see copies of them.
Q Copies of the decrees of divorce? A Yes sir.
Q Did she show them to you? A No, she didn't

Q What reason did she give you for not doing it? A Didn't have them I suppose.
Q Why did you ask her for them? A Because I looked at it this way: If she had been married and not divorced we would be living together in adultery, and also be punished together and I tried to abide by the law. I was raised to abide by the law and the reason I quit her I didn't think I was living right to live in adultery.
Q Did you have any information after you had been married to her that she had not been divorced from these men? A Lish Blankinship said something to that effect; something about not being divorced.
By Mr. Hicks. We object to this testimony as being hearsay evidence.
Q Did anyone else say anything to you about it? A No, not that I know of.
Q What husbands did you understand she had had before she married you? A Will Blankinship, Will Stidham and Hoover. I don't call his given name; never heard his given name spoken until this morning; if I did, I don't recollect it, and I have got a pretty good recollection now.
Q How did you hear that Will Blankenship was her husband?
A Talking with Lish Blankinship, Will's brother.
Q Did he say that Will Blankinship and Mary Hoover had been married? A Yes sir.
Q Where did Lish Blankinship live? A Lived in Blain bottoms at that time.
Q Near Will Blankinship? A No, I don't think Will was living there at all, at that time.
Q Where is Lish Blankinship now? A I don't know; I heard he was dead; I couldn't be sure that he is.
Q How long since you have seen him? A I can soon tell you; about 12 years ago.
Q Where did you last see him? A Seen him at South Canadian.
Q Choctaw Nation? A Yes sir.
Q Have youj heard of him since? A I have heard since that he was dead.
Q Do you know what became of Will Blankinship? A No, I don't.
Q Did you ever hear of his being dead? A No, I havn't heard that he was dead or living, not since I seen Lish Blankinship.
Q Do you know what became of Will Stidham? A No, I don't
Q Do you know whether he is dead or living? A I can't say whether he is dead or living.
Q Do you know whether or not he was living at the time you married Mary Hoover? A I seen a man that they called Will Stidham in Blain bottoms; talked wih him.
Q Was he the Will Stidham that said to be her former husband?
A Yes sir.
Q Did you see him after you were married? A I seen him just before, and I couldn't be sure but I think I seen him afterwards. He was staying at Blains bottoms himself at the present time.
Q At that time you mean? A Yes sir.
Q Did he have a wife at that time? A No, he was a widower.
Q And you understood that he had been divorced? A Yes.
Q That is, before or after youwere married to Mary Hever?
A Afterwards.
Q You say you lived with Mary Hoover about six weeks? A Somewhere right in the neighborhood of four or six weeks.

Q Did you leave her or did she leave you? A I left her.
Q Why. A I didn't feel right living in adultery if all reports was true. I didn't want to be punished by any law for adultery.
Q Did you investigate the question as to whether or not she had been divorced from her former husbands. Did you inquire into that question
A Not after I left there I didn't.
Q Before? A Nothing only what I stated just now. The questions I asked her.
Q Did you ever make any other effort before or after that time to find out whether or not she had been divorced from these men?
A Well, I went to an old lady we all knew by the name of Sarah Tyler, but that wasn't her name.
Q What was her name? A Birchfield. Sarah Birchfield.
Q For what purpose did you go to her?
A To see if she had any divorce or if she ever had any divorce from them men.
Q What information did she give you? A I disremember what the copy reads. I had a copy here in the land office.
Q You mean here with the Dawes Commission, copy of her affidavit? A Yes, before a Notary Public. I wouldn't try to quote her affidavit. I just received a copy of it and sent it on at their request.
Q Did you file them on behalf of the application of your wife, Sarah E. Willia,s? A Yes sir.
Q Did you ever know a man by the name of E. B. Blankinship?
A yes sir.
Q Is that the man you spoke awhile ago of as Lish Blankinship?
A Yes sir.
Q Did you see him to make inquiry in this matter of Mary Hoover's former marriages? A Yes sir.
Q What information, if any, did you receive from him? A After he made that statement he said that he wouldn't say that she was not divorced from Will Blankinship on account of getting him into trouble.
Q Getting whom into trouble? A Will Blankinship, his brother.
Q Is this an affidavit that he made to that effect? A Yes sir.

By Mr. Dean: We offer in evidence the affidavit of E. B. Blankinship in behalf of the applicant, Sarah E. Williams. Said affidavit is marked Exhibit A. and made a part of this record.

Mr. Hicks, on behalf of the applicant, Mary Hoover, objects to the filing of the affidavit of E. B. Blankinship in this case for the reasons, first: It is signed by mark and there are no witnesses to the mark; second, that there is no proof of the execution of the affidavit; third, that it is not admissible for the purpose for which it is offered; fourth, it is not the best evidence as the marriage license and certificate should be introduced if marriage is attempted to be proved between Will Blankinship and Mary Hoover.

Q Then you left this woman, Mary Hoover, upon learning that she had not been divorced?

Mr. Hicks objects to the form of the question as leading.

Q Have you married since that time? A Yes sir.
Q How long after that before you married?
A I think I married this other one and lived with her something

near ten years before I married Sarah E. Williams.
Q Had you married some other woman before that time? A Yes.
Q Who was that? A Her maiden name was Emma Perkins, but she married a fellow by the name of Rush.
Q You married Emma Rush? A Yes sir.
Q How long after you were separated from Mary Hoover before you married Emma Rush? A Something like five years.
Q Do you know what became of Mary Hoover in the meantime?
A No, I didn't know where she was at.
Q Had you heard anything from her? A No sir.
Q Did you know where she went to live after you left her?
A No, I didn't; I left her at Lish Blankinships'
Q In blain bottoms, in the Choctaw Nation? A Yes sir.
Q When did you next see her? A This morning, right here.
Q The first time? A Yes sir.
Q Had you heard of her in the meantime? A I have heard of her I think in the past two or three years.
Q Up to that time you had not heard of her since you left her?
A No sir.
Q How long did you live with Emma Rush?
A About 18 months.
Q What became of her? A She went back to her folks in Ark.
Q Were you and she ever divorced? A Yes, the Dawes Commission had got a copy of it right here in the house.
Q Copy of the decree of divorce? A Yes sir.
Q How long after that before you married Sarah E. Williams?
A Must have been something near five years; been married ten years from the the of my marriage to her until I was married to Sarah E. Williams.
Q You mean ten years between the time you married Mary Hoover and Sarah E. Williams, your present wife? A Yes sir.
Q Did you ever seen Marion Hoover to know him? A No sir.
Q You were not personally acquainted with him? A No, if that wasn't him that Lish Blankinship showed me I never seen him. If it was, I have seen him but not to speak to him.
Q When did Lish Blankinship point him out to you? A The same fall her and I was married; couple of three weeks afte rwards.
Q Couple or three weeks after you and she were married?
A Yes sir.
Q Whereabouts? A Down in the Blain bottoms; Blankinship and I was walking down to the race tracks where they was fixing to run some races.
Q Was anyone else along with you and heard? A Just him and I.
Q Was that anybody along with the man that was pointed out to you as Marion Hoover? A Yes, another fellow walking along with him.
Q Do you know who he was? A No sir.
Q Was he a stranger to you? A Yes sir.
Q How close were you to them? A Must have been thirty or forty yards.
Q What did he say about this man in directing your attention to him? A He said, there went Hoover, the woman's husband I was living with.
Q Anything else said about him? A No, never had no more conversation about that.
Q Which way did he go? A Going up towards the store.
Q What store? A In Blain bottoms; I just don't remember who was running it then.
Q Where were you and Lish Blankinship going? A Going down to the race tracks to watch a couple of ponies come through.

Q Do you remember what kind of a looking man he was? A No, I don't; I never paid much attention.
Q About how far did you say you were from him? A About thirty or forty yards
Q Did that circumstance lead you to investigate this question of her divorce from him, or not? A Yes. I didn't know what his intention was if that was him that Blankinship showed me.
Q Was it then that you made this demand upon her for papers of divorce from him? A Yes. I wanted to know that I was living lawfully was what I was after, and if I wasn't living lawfully I was uneasy ; if I was, I wasn't uneasy of no man hurting me and I had as much of the law to back me as he did.
Q What reply did she make when you asked this proof from her? A She didn't have it.
Q Said she didn't have tit? A Yes sir.
Q Did she say anything to you about having a letter? A No sir.
Q Said nothing about having a letter informing her that Hoover was dead? A No, never said a word to me about it.
Q Did she ever at any time before or after you were married show you a letter to that effect? A No sir.
Q You heard her testify regarding that letter; when did you first hear of that letter? A That Hoover was dead?
Q Yes. A This morning.
Q That was the first time? A Yes sir.
Q Never heard of that letter before? A Not till this morning.
Q Did you know Pink Nelson? A I personally knew him but I wasn't really acquainted with him.
Q What do ou mean by that? A I knew him when I met him.
Q You knew him when you saw him? A Yes sir.
Q That is Pink Nelson? A Yes.
Q You wasn't personally acquainted with him? A No, not in one sense of the word, I wasn't.
Q Do you know where he is now? A No, I don't

Examination by Mr. Hicks:
Q I think you said Mr. Williams, that you never saw Marion Hoover but one time? A One time was all.
Q About thirty or forty yards from him then? A Yes sir.
Q You don't know of your own knowledge that you ever saw him at all? A I just got that man's word for it.
Q What Mr. Blankinship told you? A Yes sir.
Q This man Blankinship also told you that she had married his brother, Will, at the same time? A Yes sir.
Q I believe you said that you didn't remember what kind of a looking man Hoover was? A No, I don't remember.
Q You don't remember whether he was an old man or a young man do you? A I don't remember what kind of a looking man he was.
Q You don't know whether he was a large or small man? A No.
Q You say that when Blankinship told you that that Was Marion Hoover you then went home to your wife and asked her about the divorce? A Yes sir.
Q And she told you that she couldn't show you any divorce? A Yes sir.
Q Did you ask for a divorce from Hoover or Blankinship or Stidham? A Asked her a copy from them all.
Q I think you said that you never did see this man, Will Blankinship? A I seen him.
Q You saw him? A Yes.
Q Did you ever see Stidham? A Yes.
Q Where did you see him? A Saw him in Blain bottoms.

Q How long ago? A Since the fall her and I was married.
Q Who was with you at that time. A I seen him several times.
Q I believe you stated that you never saw him but one time.
A Hoover?
Q Yes. Didn't you also state that you saw Stidham but one time? A No sir.
Q You saw him several times? A Yes sir.
Q Do you know where he is now? A No, I don't.
Q Was anyone with you when you saw him? A There was several of them with me.
Q Do you remember any of their names? A Jack Moore.
Q Do you remember what kind of a looking man Stidham was?
A I do not.
Q Don't remember whether he was an old man? A Wasn't so old, I wouldn't think.
Q Was he forty years old? A I couldn't tell you.
Q You couldn't estimate that, over or under forty ?
A No sir.
Q Do you remember whether he was a large or small man? To the best of your recollection? (No answer)
Q Was he a fat man or a lean man, what is your recollection?
A I don't know which.
Q Do you remember the color of his hair? A No sir.
Q Do you remember whether he wore a beard or was close shaven?
A No.
Q This Will Blankinship, did you say whether you had seen him or not? A Yes, I have seen him.
Q How many times? A Several times. He had been in my mothers house when I was a small boy.
Q Was he a brother of Lish Blankinship? A Yes sir.
Q Lish and E. B. Blankinship, the one who has made an affidavit, are one and the same person? A Yes sir.
Q Do you remember how old Will Blankinship was? A No sir.
Q Would you guess he was forty years old? A I don't suppose he would be over thirty-five.
Q About thirty-five? A I don't know just how old he was.
Q That was when you were a small boy? A No; when I was a small boy he was just a little larger than I was; grown up just close in he same settlement.
Q How long has it been since you saw Will Blankinship?
A I guess about 18 years.
Q Then you have naturally forgot a good deal, about how he looked? A Yes sir.
Q You couldn't state whether he was a large or small man?
A To the best of my recollection he was a tolerable large man; between what you call a middle sized aman and a large man.
Q Do you remember whether he had dark hair? or light hair?
A Dark hair I believe.
Q Are you positive about that? A No sir.
Q You couldn't be positive? Now, when you say that Lish Blankinship pointed out to you a man who he said was Marion Hoover at the race tract, what did you do then relative to your marriage with Mary Hoover? I mean, what action did you take then? A Well, sir, I don't know, hardly; it just felt to me like I was living with another man's wife and I had better begin to see around and get out of the trouble, if I was in trouble.
Q What action did you take to see around and get out of trouble?
A After I went back home I asked her about them papers.
Q And she couldn't show them? A No.

Q Then what did you do? A In a short time I got on my horse and pulled out for home.
Q How long ? A I don't know.
Q Did you say it was a month you were married? A Didn't look to be over four or six weeks.
Q How long did you say you staid after you learned this? A I wouldn't be positive just how long.
Q Was it as much as five days? A It was long enough for me to sell a yoke of steers and get another horse and saddle.
Q You think it was 2-3-4-5- days? A Yes.
Q Then what did you do? A I got a wagon traded off for a horse and saddle and went home.
Q Did you take any other steps? A No, not until after I struck Blankinship up here and he made that statement.
Q That was about four or five years later, wasn't it? A Something near that time.
Q You went in and she didn't have or couldn't show the papers, the copies of the decree of divorce and you left, and then about four or five years later you got Blankinship to make this statement? A Yes sir.
Q You didn't apply for any divorce or anything of that kind, did you? A I talked with one or two Indian lawyers and stated the case to them like I have here, and they said that I didn't need it.
Q And you didn't do anything else? A No sir.
Q Didn't make application for divorce? A No sir.
Q You didn't go before a Notary Public and attempt to do anything of the kind? A Just them statements you see.
Q Just these affidavits is all you did besides leaving? A Yes sir.
Q That woman named Birchfield that you speak of; you said that that wasn't her right name? A I said I knew her by the name of Sarah Tyler, but Tyler was not her right name.
Q Is she living now? A I don't know; suppose so.
Q Were you acquainted with that Mrs. Birchfield? A Yes, I seen her a few times.
Q You wasn't personally acquainted with her then? A No.
Q You knew her by sight? A Yes sir.
Q Do you know how old a woman she was? A No sir.
Q You wouldn't undertake to state then, how old she was? A No, I wouldn't undertake at all.
Q Would you guess she was as much as fifty years old? A She was an old like woman
Q Do you remember whether her hair was black or red or what color it was? A No, I don't.
Q You don't remember that? A No sir.
Q Do you remember whether she was a large or small woman? A I disremember whether she was a large or small woman.
Q Do you remember whether she was a tall, or a low, heavy set woman? A I don't remember that.
Q Where did you say you had seen her last? A Saw her in Blain Bottoms.
Q Do you know her postoffice address? A The last time I saw her her postoffice was Blain, but she is living now at Sailor. Sailor is her postoffice now; I guess its been 10 or 15 years since I saw her myself.
Q I believe you stated that youw ere not personally acquainted with Marion Hoover; don't remember seeing him but one time? A That's all.
Q That was when Lish Blankinship pointed him out to you? A Yes.

Q Was that while you and this woman, Mary Hoover were living together? A Yes sir.
Q You state that the last time you ever saw Will Blankinship was over 18 years ago? A Its been somewhere along there.
Q That was before you were m rried?--You don't know whether he is living now or not? A No, I don't know.
Q I believe you stated that when Liah Blankinship pointed out Marion Hoover to you that soon after that you left Mrs. Posey?
A Yes sir.
Q And that was all you did for four or five years towards separation or divorce, before you took any further action?
(No answer)
Q After you married Mary Hoover you then married another woman?
A Yes sir.
Q How long was it after you married Mary Hoover? A Something like four or five years.
Q Then you had taken no steps towards securing a divorce from Mary Hoover, except leaving her. A I spoke to a couple of men
Q Yes, I believe you said that; and that was all? A Yes sir.

Examination by Mr. Dean.
Q To whom did you speak about his matter of your marriage and of your divorce? A Jud ge Taylor of Skullyville county, and Silas James.
Q What is Taylor's first name? A John Taylor.
Q Was he judge of Skullyville county at that time?
A Yes sir.
Q And what is the name of the other man? A Silas James.
Q What is his business? A He was a lawyer.
Q A Choctaw lawyer? A Yes sir.
Q Practicing in the Choctaw courts? A Yes sir.
Q How old a man was he then, about? A Must have been 35 or 40 years old.
Q Why did you go to this man? A Well, I wanted to see if I was living right, living in adultery, or would I be safe in marrying again.
Q See whether or not you could lawfully marry this woman, Mary Hoover? A No, that was before. That was after we separated. Emma Rush.
Q What did you tell him your situation was? A I told him that my understanding was that I had been married to a woman who had three living men and no divorce, just like I stated here this morning .
Q What did they advise you? A That I didn't need it.
Q Did you talk to these men together or were they seaprate?
A Separate.
Q You went forst to one and then to the other? A Yes sir.
Q Did you advise with any other lawyer or official about the matter? A No sir.
Q You then went ahead and married Emma Rush: A Yes; they called on me for a copy of divorce from her and I wrote to Franklin county and got it.
Q You mean they, the Dawes Commission, called for it?
A Yes sir.
Q Wasn't this Sarah Birchfield, formerly widow Tyler? A Yes, thats the name I knew her by, was Sarah Tyler.
Q She married a man in recent years by the name of Birchfield? A I don't know.

Examination by Mr. Hicks:
Q Of your own knowledge, what you know yourself, you don't know whether Mary Posey was ever mrried before she married you, do you? A Well, no, I don't.

Examination by the Commissioner:
Q At the time you testified before the Commission to the Five Civilized Tribes in reference to the right of the enrollment of your wife Sarah E. Williams , you stated that you were divorced from Mary Hoover in the Choctaw courts, the Choctaw tribal courts. How do you explain that statement in view of your testimony heretoday? A Well, the way I testified then, if I understand it right was what I have said here today. I testified that she had three living men, just like I have here today.
Q I will read your testimony to you:
"Q Were you divorced from each one of these women?
"A Yes sir.
"Q Where were you divorced from Mary Hoover? A Choctaw "Nation.
"Q In the Choctaw tribal courts? A Yes sir. "
And you follow that by making this statement:
" " and as quick as I found out (referring to the fact that Mary Hoover had a previous husband) I said to myself "I am living in adultery and I will just quit, and I went " to South Canadian before a Notary Public and had witnesses "to the effect that she stated to me wrong."
How do you reconcile that with your statements here today that you took no steps to get a divorce from Mary Hoover?
A Well, it was something over five years before I took a notion to marry again.
Q Your statement heretofore says that just as soon asnyou found it out you went to South Canadian. Now, I understand from your statement today that you did nothing for five years.
A They didn't ask me where I registered at how long I had been--
Q It is your voluntary statement Mr. Williams. What witnesses do you refer to Mr. Williams in your testimony taken on December 17, 1902, that you took before a Notary Public and had them testify that this woman told you wrong? A Jim McCall and Lish Blankinship.
Q That wasn't until five years subsequent to your separation from this woman, Mary Posey? Is that correct? A That was taken before.

Witness excused.

Mary Posey being recalled, testified as follows:

Examination by the Commissi oner.
Q How many times were you married before you married Senora Williams, or Watt Williams? A Twice.
Q What was the name of your first husband? A Will Stidham.
Q And your second husband? A His name was Marion Hoover.
Q Were you ever married to a man by the name of Blankenship?
A No sir.
Q Did you ever live with such a man? A No.

Q Didyou know such a man? A I knew he had been there; I lived with his brother's wife. I staid at his brother Lishs' when we was married and he used to come around to my first husband's fathers.
Q Was there ever any kind of a ceremony performed between you and Will Blankinship? A No sir.
Q In your testimony this morning you stated that you were living with Stidham at the time he died? A Yes sir.
Q Where did he die? A At Sans Bois bottoms at his fathers.
Q Were you actually in the room when he died? A Yes, I was right at his fathers.
Q Where was he buried? A There is a bluff there. I don't remember the name of the bluff.
Q How long was it that he was dead and buried before you married Watt Williams? A It was a good while before. I married Hoover and he died before I married Watt.
Q Do you know where Stidham is buried? A It is some kind of a bluff, but I don't remember the name of the bluff.
Q Near what town? A I don't know whether it was near a town or not.
Q Was it near where you lived in Blain bottoms? A Yes, not far from there.
Q How long had Stidham been dead when you married Hoover? A I declare, I don't remember how long he had been dead.
Q Now, state just as plainly as you can without any reference to any other of your testimony, as to what happened in reference to your marriage to Williams and your separation from him? A How's that?
Q Tell me in your own language as to what took place in reference to your marriage and separation from Senora (or Watt) Williams? A I don't know--you mean what he quit me for?
Q Tell me the whole thing. What caused the separation.
A I couldn't tell what caused the separation; I will leave that for others to do; you will find it out; he left me--we lived together--me and Watt lived together six months as well as I can tell, to tell the truth about it, and then he left me, and in about four or five months--I won't be certain--after he left me, this child of his'n was born, and I had to work to raise it, and I worked myself blind to do it.
Q Why did he leave you? A I don't want to tell that.
Q You have heard him testify that he left you on account of your having a living husband? A That aint it. I can tell you, the way women is once in awhile, he didn't have sense enough to know what it was. That's what he left me for, if you don't know.
Q Did he charge you before he left you, with having a living husband? A No, he never said nothing to me about any living husband.
Q Did he ever demand from you any papers to show that you had been divorced from Stidham and Hoover? A No.
Q Did he ever ask you with reference to a man named Blankinship? A I never heard him mention that until today--this Will. I never heard him mention him until today.
Q You never had married or went through any marriage ceremony of any kind with Will Blankinship? A No I never.
Q You state that you were present at the death of your husband Stidham and saw him buried? A Yes sir.
Q And that you knew Hoover was dead before you married Watt Williams? A I knew he was dead before I married Watt, because

if he hadn't been dead I never would have married him, and I happened to find out that me and him was never divorced, and I will have a divorce from him if I live.
Q What is your present name? A How?
Q Yes. A Well, of course I married after he died. I thought I was divorced. Posey would be my name.
Q When were you married to Posey? A I couldn't exactly tell you that; you can find it out at Sherman where we was married.
Q Before you married Posey did you apply to any court for a divorce from Williams? A No, I never married till after he did.
Q Were you ever served with any papers for divorce from Williams? A No. Since I found out I wasn't, I'll quit till I get a divorce. I thought I was divorced.

Examination by Mr. Dean:
Q You testified this morning that that letter was burned up in a fire at Atoka, near Atoka? A Yes, ten miles below Atoka; I was living there when the house burned that burned that letter.
Q Where did you keep that letter? A Among the things in the house.
Q What things? A My boxes.
Q Wooden boxes? A Yes, wooden boxes.
Q You are sure that that letter burned up in that fire? A I am sure that that letter burned in that fire.
Q Do you remember what you testified to before when you were asked what became of this letter? A I don't know anything about it.
Q Well, your answer was as follows: "Why, law knows its been so long, of course, it is lost, traveling around all the time". A Well, I know, but after I got to thinking and studying to know where it had been I knew what become of it, because I knew where I had it last.
Q When did you know that? When did you decide what became of this letter? A After I was here and went home then I began to study where I had been with it, and then I knew right where it had got destroyed.
Q Was there anything to enable you to know that that was what became of the letter except your general memory? A Nothing any more than that man I married this last time knows it got burned up.
Q How did he know? A He was there and seen it burned. He seen the letter in the box and see the house burn up over it.
Q Did he ever read the letter too? A No, he couldn't read.
Q Did he ever read the letter? A No, he had it read. He couldn't read either.
Q Who read the letter to him? A I can't remember now who read the letter; there's so many going and coming and being around, I don't remember who did the reading.
Q Well, do you remember that anyone read the letter? A Of course.
Q I mean to you and your present husband. A This one now?
Q Yes. A Yes, he heard the letter read.
Q I will ask you if you ever heard anyone r ad that letter to him? A Why, yes.
Q But you don't know who it was read it to him? A I don't remember now. Anything will pass that way and go plum out of my remembrance until after I get studying and thinking about it, it will come back again.

Q Do you think that if you studied about this a little while you could remember who read that letter to your present husband? A I don't know.
Q Where was it read? A One time there below Atoka before it got burned up. Miss Moran read it once.
Q Where is she now? A I couldn't tell you where she is. She read it to me and him; she read several letters he got from Arkansas.
Q And you got this old letter out that you had had about fifteen years and had her read it? A She read it.
Q To you and your husband? A To me and my husband.
Q How did you happen to have that read? A Happened to be there reading these letters.
Q Why did you want to read this one fifteen years old? A Because I wanted to hear it read; something in it I wanted-I wanted him to hear it.
Q Who? A My man.
Q Had he ever heard it read before that? A I don't know.
Q Didn't you state that it had been read by a number of people to you and your husband? Didn't you state a moment ago that it had been read to you and him by several people? A Yes, I know she read it--you asked me if I remember anyone that read it. I remember her.
Q Do you mean by this statement that he had never heard that letter read up to that time? A I don't guess he had; I don't know.
Q The fact is, you don't know whether he had ever heard it read? A Yes, I know he had.
Q This was a short time before the letter was burned? A Yes, we was living right there by Miss Moran when the letter got burned
Q Did she read it to him after that time? A I don't know whether she did or not.
Q The only time you can swear he ever heard the letter read was that one time? A Yes, I know he heard it. I got Annie Moore (Moran?) to read it.
Q Did he want to hear the letter? A I don't know whether he did or not. I got her to read it.
Q Did you have any other letters? A Yes, we got letters to this day; none of us can read; we get people to read them to us.
Q You have letters today fifteen years old that you have people read to you? A I don't know how old they are.
Q But you just have them read? A Yes, have the names called.
Q Didn't you testify once formerly before the Commission to the Five Civilized Tribes that you didn't know why Williams left you? A That I didn't know?
Q Yes. A Not that I remember about, I didn't. I know the reason he left me.
Q But didn't you testify once before before this Commisd on that you didn't know any reason for his leaving? A I don't remember whether I did or not.
Q If you did make that statement, was it true or false?
A I know the reason he left.
Q Well, answer the question. A I said I know the reason he left; without that I don't know no other cause that could make him quit me.
Q How long did you say you had been separated from Hoover before you married Williams? A I don't remember just exactly.
Q About how long? A Well, I don't remember how long it was.

Q Four months? A Might have been that long; might have been longer.
Q It might not have been so long as that? A I don't know exactly how long it was; it might have been that long and it might have been longer; I don't know exactly how long.
Q The fact is, you don't remember distinctly anything about as to the length of time? A No, not exactly I don't.
Q Were you ever in Arkansas? A No, I never was.
Q Did you ever hear you husband, Marion Hoover, say anything about being from Mo8unt Ida in Arkansas; about having resided or lived at Mount Ida, in the state of Arkansas? A Yes, I have heard him speak of that place; talked about Arkansas.
Q Where was he from when you married him? A He was from Arkansas he said.
Q Didn't you testify this forenoon that you didn't know where he was from? A That's what he said.
Q Then you don't believe everything you hear? A No, that I don't, believe everything I head. I couldn't swear to anything I hear.
Q You wouldn't swear to a statement that he was in Arkansas-- that he came from Arkansas, although he told you that he did.
A He told me; that is all I know.
Q But you wouldn't swear to it as being true? A No .
Q Havn't you just now sworn to a statement that Marion Hoover is dead? A Well, he is dead.---
Q Just a minute; do you swear to the statement that your husband, Marion Hoover was dead when you married Watt Williams, although you had only heard it through a letter that he was dead? You believe everything you head by letter? A Its just according to who tells it; that's it.
Q Then did you have greater confidence in this man Edmonson than you did in your former husband, Marion Hoover? A I sure did.
Q Did you ever meet Mr. Edmonson? A I have seen him, yes. I never knowed much about him.
Q Did you ever meet him? Did you have an introduction to him?
A Yes, I have seen him.
Q Did you ever talk with him? A Yes, I have talked with him.
Q Whereabouts? A Right here in the Territory.
Q Whereabouts in the Territory? A In Sans Bois bottoms.
Q What was he doing over here in the Territory? A I don't know what he was doing.
Q How often did you see him in the Territory? A I seen him about twice and then when he left he said he was going to Arkansas; I don't know where he went; I suppose he went to Arkansas; he was there when he wrote the letter anyhow.
Q He lived over here then? A I reckon he was living here. I never did visit his house at all; I wasn't acquainted with the family of his.
Q Do you know that he had a house and family? A I don't know a thing about it; never was at his house, I say.
Q But you know that Maron Hoover was dead because you heard it?
A I know he was dead.
Q Because you heard it? A Yes, because Edmonson said he was dead, and I know he was dead.
Q You know that this man Edmonson was a truthful man? A As far as I know; I couldn't give him any other name but that.

Q Do you know what reputations for truth these men about the community where you lived had? A I don't know anything about their reputations.

Witness excused.

Sarah E. Williams being first duly sworn testified as follows:

Examination by the Commissioner:

Q What is your name? A Sarah E. Williams.
Q How old are you? A Twenty-three years.
Q Where do you live? Your postoffice address? A Panama.
Q Are you the present wife of Senora W. Williams? A Yes sir.

The witness is identified as Sarah E. Williams, wife of Senora W. Williams, Choctaw Roll Card, Field No. 2748, and opposite No. 913 on the final roll of citizens by intermarriage of the Choctaw Nation as approved by the Secretary of the Interior.

Examination by Mr. Dean.

Q Have you taken your allotment? A Yes sir.
Q Received both your homestead and allotment certificates?
A Yes sir.
Q You are enrolled as an intermarried citizen? A Yes sir.
Q Have you sold any part of your surplus land? A Yes.

Objected to by Mr. Hicks as immaterial.

Q To whom have you sold it?

By the Commissioner: We will have to sustain the objection as to any purchase.

Q Did you know any of these persons about whom we have been talking here, Marion Hoover, Will Blankinship or Will Stidham?
A Don't know any of them, no.
Q How old were you when you married Williams? A Sixteen years old.

Examination by the Commissioner.

Q How long had you known Williams when you married him?
A About a year.
Q When were you married? A August .
Q Of what year? A I don't know; I have forgotten.

Frances R. Lane upon oath states that as stenographer to the Commissioner to the Five Civilized Tribes she correctly reported the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Frances R Lane

Subscribed and sworn to before me this November 9, 1905.

Edward Merrick.

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Albert J. Williams

As a citizen of the

Choctaw Nation.

Approved Aug 9 1899

Commissioner.

Card No. 7-2778

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Albert J. Williams, born on the 5 day of Nov, 1898.

Name of father: Senora W. Williams, a citizen of the Choctaw Nation.

Name of mother: Sarah E. Williams, a citizen by intermarriage of the Choctaw Nation.

Post Office: Farmer I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sarah E. Williams, on oath, state that I am 16 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Senora W Williams who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 5 day of Nov, 1898; that said child has been named Albert J. Williams, and is now living.

Witness to mark
John W Cheek
W. T. Callicoatte

Sarah E + Williams
her mark

Subscribed and sworn to before me this 5 day of Aug, 1899.

John W Cheek
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, , a , on oath, state that I attended on Mrs. , wife of on the day of , 1 ; that there was born to her on said date a child; that said child is now living and is said to have been named Albert J. Williams.

Subscribed and sworn to before me this day of , 1 .

Notary Public.

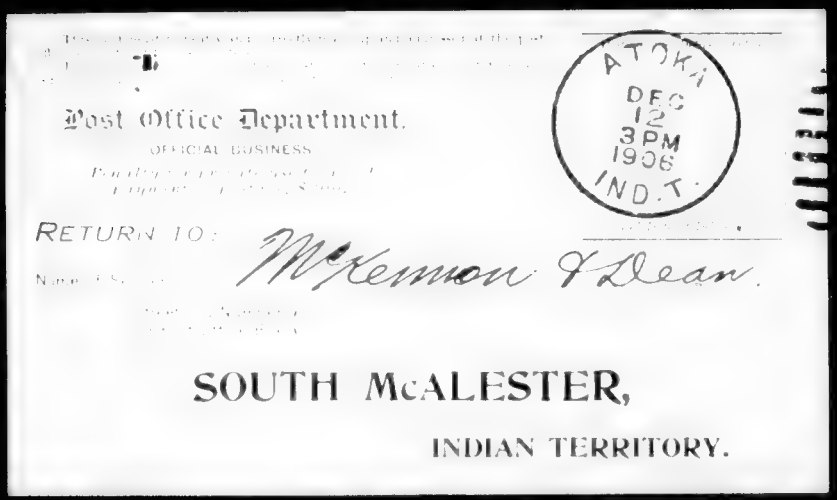
Indian Territory, }
Central District. } ss

T. R. Dean, being sworn, upon oath says that he is a member of the firm of McKennon & Dean, attorneys of record for Sarah E. Williams, an enrolled Choctaw citizen, (7-2748), and that, on December 12, 1906, he sent by registered mail to J. G. Ralls, Atoka, Indian Territory, notice of the intention of said Sarah E. Williams to offer further testimony in behalf of her right to retain her enrollment as such citizen, as against the claims of one Mary Posey, before the Commissioner to the Five Civilized Tribes, at Muskogee, I. T., on Friday, December 21, 1906, a copy of which notice, and the registry receipt, also the registry return receipt for which, numbered #1693, are hereto attached; also, that notice to the same effect, of said intention, was, on December 17, 1906, sent in like manner to Messrs Mansfield, McMurray & Cornish, at South McAlester, I. T., a copy of which, with registry receipt and registry return receipt, numbered 1757, are hereto attached.

T R Dean

SUBSCRIBED and sworn to before me this December 19, 1906.

H B Milam
Notary Public.


Post Office Department.
OFFICIAL BUSINESS
ATOKA
DEC
12
3PM
1906
IND.T.
RETURN TO:
McKennon & Dean.
SOUTH McALESTER,
INDIAN TERRITORY.

REGISTRY RETURN RECEIPT.

Atoka I.T.

1693. From Post Office at SOUTH McALESTER, IND. TER.,

J G Ralls Esq

Atoka

South McAlester, I. T., Dec. 11, 1906.

J. [illegible] Ralls Esq.,

Atoka, I. T.

Dear Sir:

You are hereby notified that Sarah Williams, enrolled as an intermarried Choctaw, wife of Senora W. Williams, will, on Friday December 21, 1906, offer further testimony before the Commissioner to the Five Civilized Tribes, at his office in Muskogee, in her behalf, to prove that she is the lawful wife of said Senora W. Williams and entitled to retain her enrollment as against the alleged claim of Mary Posey, your client.

Very respectfully,

REGISTRY RETURN RECEIPT.

Received from the Postmaster at South McAlester, Ind. T.

Registered No. 1757 From Post Office at SOUTH McALESTER, IND. TER.,

Addressed to Mansfield McMurry & Cornish

Date — 5 — 1906

Mansfield McMurray & Cornish

South McAlester, I. T., Dec. 17, 1906.

Messrs Mansfield, McMurray & Cornish,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that, in the matter of the controversy between Sarah E. Williams and Mary Posey, each of whom is claiming the right to be enrolled as an intermarried Choctaw, the wife of Senora W. Williams, an enrolled blood Choctaw, No. 7-2748, Sarah E. Williams will offer further testimony in her behalf before the Commissioner to the Five Civilized Tribes, at Muskogee, I. T., on December 21, 1906.

Very respectfully,

(7-2748)

In re—

Sarah E Williams

Proof of Service of Notice to take Testimony—

THE INTERIOR
COMMISSION TO THE CIVIL ESTATES
FILED
DEC 21 1906
COMMISSIONER

7-2748.

Muskogee, Indian Territory, January 21, 1903.

Senora W. Williams,

Cowlington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of a certified copy of the divorce proceedings between Emma and S.W. Williams; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Sarah E. Williams as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-2748.

Muskogee, Indian Territory, October 12, 1903.

Senora W. Williams,

Cowlington, Indian Territory.

Dear Sir:

In the matter of the application of your wife, Sarah E. Williams, for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony taken before the Commission in support of her application, at Wister, Indian Territory, December 17, 1902, that your first wife was a woman named Mary Hoover and that you were never divorced from her. You say in your testimony that your first wife, Mary Hoover, was not divorced from her former husband at the time of her marriage to you, and that as soon as you found that out you left her.

Before further consideration can be given to the application of your wife, Sarah E. Williams, for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to furnish the Commission further evidence of the fact that your first wife, Mary Hoover, had a husband living at the time of your marriage to her.

You are informed that it will be necessary for you to

forward to the Commission the sworn statement of at least two disinterested parties, who are actually cognisant of the fact that said Mary Hoover had a living husband at the time of her marriage to you, and also have them state how they became possessed of this knowledge.

These matters should receive your immediate attention.

Respectfully,

Chairman.

7-2748.

Muskogee, Indian Territory, October 23, 1903.

S. W. Williams,

Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 17, 1903, inclosing the affidavits of James McCall and E. B. Blankenship, which show that they knew that your first wife, Mary Hoover, was married prior to her marriage to you, but they do not show that the former husband or husbands of Mary Hoover were living at the time of your marriage to her.

In your evidence, taken at Wister, Indian Territory, December 17, 1902, you testified that Mary Hoover had a husband living from whom she had not been divorced at the time of her marriage to you. Inasmuch as the right of your wife, Sarah E. Williams, to enrollment as an intermarried citizen of the Choctaw Nation, is dependent upon a lawful marriage to you, it will be necessary for you to furnish the Commission further evidence of the fact that Mary Hoover had a husband living, from whom she had not been divorced, at the time of your alleged marriage to her.

S. W. W. 2

The affidavits of James McCall and E. B. Blankenship are herewith returned to you.

Respectfully,

Commissioner in Charge.

2 inclosures.

7- 2748.

Muskogee, Indian Territory, December 31, 1903.

S. W. Williams,

Panama, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 25th instant, enclosing the affidavit of Sarah E. Burchfield, relative to the marriage and separation of your former wife, Mary Hoover, from her husband prior to her marriage to you; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Sarah E. Williams, as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

Choctaw 2748

Muskogee, Indian Territory, February 10, 1904.

S. W. Williams,

Panama, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 3, asking if your wife, Sarah E. Williams, has been recognized and enrolled as an intermarried citizen of the Choctaw Nation as you would like to file on her land. You also desire to be informed if you can select allotment for her or if it will be necessary for her to go to the land office herself.

In reply to your letter you are advised that the Commission has not yet passed upon the application of Sarah E. Williams for enrollment as an intermarried citizen of the Choctaw nation. As soon as a decision is reached in this case she will be notified of the action taken therein.

Relative to the selection of allotment in her behalf your attention is invited to section six of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, copy of which is herewith inclosed.

The classification of the land requested by you has been made the subject of another communication.

Respectfully,

7-2748

Muskogee, Indian Territory, October 17, 1905.

Senora W. Williams,

Panama, Indian Territory.

Dear Sir:

It appears from the records of this office that at the time of your marriage to your wife Sarah E. Williams you had a wife, Mary Williams, now Posey, from whom you had not been divorced, but you allege in the matter of the enrollment of your wife Sarah E. Williams as an intermarried citizen of the Choctaw Nation that Mary Posey, formerly Hoover, had a living husband at the time of your marriage to her and that it was not therefore necessary for you to secure a divorce from her in order to marry your present wife Sarah E. Williams.

On June 15, 1905, Mary Posey appeared at this office and attempted to show that her former husband Marion Hoover was dead at the time of her marriage to you. She has been notified to appear at this office on Tuesday, October 31, 1905, at nine o'clock a. m. to testify further in this matter.

You are therefore hereby notified to appear at this office in company with your wife Sarah E. Williams on

S W W #2

the same date Tuesday, October 31, 1905, at 9 o'clock a. m. to show cause why the allotment of land of the appraised value of $1034.84 heretofore made to Sarah K. Williams should not be cancelled.

Respectfully,

Commissioner.

Muskogee, Indian Territory, October 17, 1905.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby notified to take no further action in the matter of an allotment to Sarah E. Williams, Choctaw roll by intermarriage, No. 913 until otherwise directed.

Respectfully,

Commissioner.

Muskogee, Indian Territory, October 17, 1905.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

You are hereby notified to take no further action in the matter of an allotment to Sarah E. Williams, Choctaw roll by intermarriage, No. 913 until otherwise directed.

Respectfully,

Commissioner.

Muskogee, Indian Territory, October 17, 1905.

Chief Clerk,
Choctaw-Chickasaw Patent Division,
General Office.

Dear Sir:

You are hereby notified to suspend action relative to the preparation of homestead and allotment patents to Sarah E. Williams, Choctaw roll by intermarriage, No. 913 until otherwise directed.

Respectfully,

Commissioner.

Muskogee, Indian Territory, October 17, 1905.

Chief Clerk,

Choctaw-Chickasaw Land Office,

General Office.

Dear Sir:

You are hereby notified to take no further action in the matter of an allotment to Sarah E. Williams, Choctaw roll by intermarriage, No. 913 until otherwise directed.

For your information there [redacted] inclosed herewith copies of letters this day addressed to the parties in interest.

Respectfully,

Commissioner.

EB 1-17

7-D-468
7--2748

Muskogee, Indian Territory, September 21, 1905

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of Mary Posey as a citizen by intermarriage of the Choctaw Nation, it will be necessary that further evidence be introduced showing the death of Mary Posey's former husband, Mr. Hoover, prior to her marriage to Senora W. Williams.

Respectfully,

Acting Commissioner.

7-D-468
7--2748

Muskogee, Indian Territory, September 21, 1905.

Mary Posey,

Kiowa, Indian Territory,

Dear Madam:

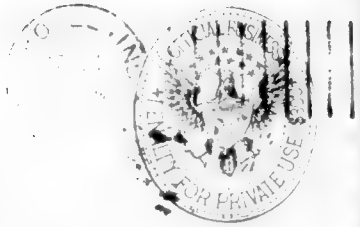
You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary that further evidence be introduced showing the death of your former husband, Mr. Hoover, prior to your marriage to Senora W. Williams, through whom you claim your right as an intermarried citizen.

This matter should receive your immediate attenion.

Respectfully,

Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.



Claimed

REFER IN REPLY TO THE FOLLOWING:

7-D-468
7--2748

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 21, 1905.

Senora W. Williams,

Farmer, Indian Territory,

Dear Sir:

It appears from the records of this office that on September 9, 1899, Mary Posey appeared before the Commission to the Five Civilized Tribes at South McAlester, Indian Territory, and made application for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto by virtue of her marriage to you in November, 1889.

On December 17, 1902, you appeared before the Commission to the Five Civilized Tribes at Wister, Indian Territory, and gave testimony relative to the right of your wife, Sarah E. Williams, to enrollment as a citizen by intermarriage of the Choctaw Nation. At that time you stated that Mary Posey, formerly Hoover, had a living husband at the time of your marriage to her, and that therefore it was not necessary for you to secure a divorce from her in order to legally marry your present wife, Sarah E. Williams.

On June 15, 1905, Mary Posey appeared at this office and gave further testimony relative to her right to enrollment

S.W.W. #2

and attempted to show that her former husband, Mr. Hoover, was dead at the time of her marriage to you.

Inasmuch as this involves the right of your present wife, Sarah E. Williams, to be enrolled as a citizen by intermarriage of the Chootaw Nation, it will be necessary for you to appear at the office of the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, with such witnesses as you desire to testify in your present wife's behalf and give testimony showing that Mr. Hoover, to whom Mary Posey was married prior to her marriage to you, was living at the time you married her.

This matter should receive your immediate attention.

Respectfully,

W. O. Beall

Acting Commissioner.

McKENNON & DEAN
ATTORNEYS AT LAW
SOUTH McALESTER, IND. TER.

South McAlester, Indian Territory,

March 16, 1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

We enclose herewith affidavits of T. L. Pound and T. M. Scott, to be filed in behalf of Sarah E. Williams (7-2748) in the matter of the contention against her by one Mary Posey, who, also, claims to be the intermarried wife of Senora W. Williams.

As we understand the record of this matter before the Commissioner, the only evidence on behalf of Mary Posey consists of the testimony of herself and Ransom Posey, her present husband, and the affidavit of one W. L. LeFors. These affidavits are directed to this affidavit of LeFors. The affiants are evidently of such character and standing, one being an attorney and mayor of Danville, a man personally known to us to be of unquestioned integrity, the other being sheriff of Montgomery County, which office he has held since 1902, and the statements of the affidavits are such as to raise very grave doubt as to the truth and genuineness of the LeFors affidavit, and to such degree as that we believe Mary Posey should be required either to present LeFors in person to testify before the Commission or to take his deposition upon notice to us as attorneys of Sarah E. Williams. And if LeFors is to appear in person we desire to have notice of the time, that we may be present for the purpose of cross-examination.

You will note, also, that these affidavits, and particularly the one made by T. M. Scott, make the testimony of Mary Posey and Ransom Posey very dounbtful as to the death, place and time of burial, of Marion Hoover. We think, and respectfully submit, that by these two affidavits, about whose truth there can be no doubt, together with other testimony in the record, the burden should be, and is, shifted to Mary Posey, and that she should be required to take the course above suggested, and that upon her failure to comply, after a reasonable time, judgment should be rendered against her. You will please keep us informed of further action in the matter.

Respectfully,

McKennon & Dean.

7-2748

Muskogee, Indian Territory, March 23, 1906.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of March 16, 1906, inclosing affidavits of T. L. Pound and T. M. Scott, which you offer in support of the application of Sarah E. Williams, for enrollment as an intermarried citizen of the Choctaw Nation, to controvert the evidence heretofore filed by Mary Posey, who also claims right to enrollment as an intermarried citizen of said nation, through Senora W. Williams, the husband of said Sarah E. Williams, and the same have been filed with the record in this case.

Respectfully,

Acting Commissioner.

7-D-468
7-2748

Muskogee, Indian Territory, May 14, 1906.

J. G. Ralls,

Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 7, 1906, requesting copy of the affidavits of T. M. Scott and T. L. Pound relative to the affidavits of W. L. Lefors which was filed by you in support of the application of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation and asking if the hearing in this case on May 21, 1906, is in the matter of the enrollment of Sarah E. Williams or in the matter of the application of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation.

In compliance with your request there are inclosed herewith copy of the testimony of T. M. Scott and T. L. Pound. You are advised that the hearing in this case is set for May 21, 1906 for the purpose of allowing submission of additional testimony relative to the claim of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation, and notice was forwarded you in order that you might be present at that time if you so desired.

Respectfully,

EB 1-14

Acting Commissioner.

7-D-468
7-2748

Muskogee, Indian Territory, May 15, 1906.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 7, 1906, requesting copy of the affidavits of T. M. Scott and T. L. Pound relative to the affidavit of W. L. Lefors which was filed by you in support of the application of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation and asking if the hearing in this case on May 21, 1906, is in the matter of the enrollment of Sarah E. Williams or in the matter of the application of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation.

In compliance with your request there are inclosed herewith copies of the afidavits of T. M. Scott and T. L. Pound. You are advised that the hearing in this case is set for May 21, 1906, for the purpose of allowing the submission of additional testimony relative to the claim of Mary Posey for enrollment as an intermarried citizen of the Choctaw Nation, and notice was forwarded you in order that you might be present at that time if you so desired.

Respectfully,

Acting Commissioner.

RB 1-14

7-2748

Muskogee, Indian Territory, December 15, 1906.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of December 11, 1906, stating that you have served notice on J. G. Ralls, attorney of record for Mary Posey, that you will introduce testimony in behalf of Sarah E. Williams on Friday December 21, 1906, and you request to be advised at once if this date does not suit the convenience of this office.

In reply to your letter you are advised that the testimony of such witnesses as may be presented by you will be heard on the date above named, but notice should also be served of the date of introducing such testimony on Mansfield, McMurray & Cornish, Attorneys for the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner.

2749 Houston Terrell choc

2749

Empty

2750 David A. Moore Choc

2750

MEMORANDUM.

Choctaw Case No. 3750.

Date

Name Dora M. Moore.

Age 23.

Post-Office: Boroche, I.T.

Children:

Stenographer A. S. McMill

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matterof the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

Dora M. Moore, 7 - 2750

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 18th, 1902.

Choctaw 2750
Intermarried

---------oOo---------

In the matter of the application of Dora M. Moore for enrollment as an intermarried citizen of the Choctaw Nation.

Dora M. Moore being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Dora M. Moore.
Q How old are you? A I am twenty-three years old.
Q What is your post office address? A Bokoshe, I. T.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A Eight years.
Q Have you lived here continuously for the past eight years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A David A. Moore.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to David A. Moore? A December 22, 1895.
Q Where was this marriage ceremony performed? A At Bokoshe, Indian Territory.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Rev. Alexander.
Q Minister of the gospel? A Yes sir.
Q Were you married under a license? A No sir, we had a marriage certificate.
Q Were you ever married previous to your marriage to David A. Moore?
A No sir.
Q Was he ever married previous to his marriage to you? A Yes sir.
Q How many times? A Once.
Q What was the name of his former wife? A Clara Stacy.
Q Was she dead at the time of your marriage to him? A Yes sir.
Q Since your marriage to David A. Moore have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.

Q Did you then apply as an intermarried citizen? A Yes sir.
Q What action was taken upon your application? A It was granted.
Q Was your case ever appealed to the United States Court? A No sir, I don't think it was.

- - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles H. Sawyer

Notary Public.

Marriage Certificate

Bokoshe Skullyville Co. I.T.

Dec. 22nd 1895.

This is to Certify that I C. L. Alexander did solemnize the rites and publish the Bans of Matrimony between David A. Moore and Miss Dora May Rabon of Bokoshe Ind. Ter. according to law, My Credentials are Recorded at South McCalester I.T.

(Signed) C. L. Alexander M.G.

Certificate of Record

This is to certify that the foregoing Certificate of Marriage, has been duly Recorded in Skullyville County, at Page 660 of Book No. I.

signed L. D. Ward

County Clerk

Seal

This is to Certify that the above is a true Copy of Marriage Certificate, and Certificate of Record of David A Moore and Miss Dora May Rabon

B. B. Woodward

Notary Public

7 - 2750

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Dora M. Moore as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the records herein that Dora M. Moore (nee Rabon), on December 28, 1895, was lawfully married to David A. Moore, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 8055 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1902; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It further appears from the records of the Commission that on September 9, 1896, in the case entitled "Dora M. Moore vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 393), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with the said David M. Moore, and on December 2, 1896, the said Dora M. Moore was by this Commission admitted to citizenship in the Choctaw Nation, as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It is, therefore, the opinion of this Commission that Dora M. Moore should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAY 6 1903

COPY.

Choctaw 2750

Muskogee, Indian Territory, May 6, 1903.

Dora M. Moore,

Bokoshe, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, (SIGNED)

Tams Bixby.
Chairman.

Register.

Enc. NEW 7

COPY

Choctaw 2750

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Dora M. Moore for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Register.

Enc. MZW 8

I B. F. Hocott do Solemnly Swear that I saw a Package Registered at the Post Office at Bokoshe Choctaw Nation Ind. Ter. on the 26th day of August 1897 Addressed to Hon. Green McCurtain Principal Chief Choctaw Nation Sans Bois Ind. Ter. The said Package Contained Application for the Enrollment of Cecil Moore before the Hon. Commission for Civilized Tribes.

B. F. Hocott

Subscribed and Sworn to before me this the day of Aug. 1897.

B. B. Hoodlewood

Notary Public

Bokoshe Ind. Ter.
Aug 18th 1897.

To the Hon Commission five Civilized Tribes
Ft. Gibson I.T.

We Geo. L. Smith S. W. James and Ella Barnett
of Bokoshe Choctaw Nation Ind. Ter.
are each recognized citizens by blood of the
Choctaw nation, and lineal descendants
of the Choctaw Tribe of Indians.
We are well acquainted with David
A. Moore, and know him to be a
recognized citizen by blood of the
Choctaw Nation Ind. Ter. and that
since the Authenticated Rolls were
taken Cecil Moore was born.
We know her to be entitled to her
place on the Authenticated Rolls
of the Choctaw Nation as a
citizen of the Choctaw Nation to
enjoy all the rights and annuities
of a citizen by blood.

Geo. L. Smith
S. W. James
Ella Barnett

Subscribed and sworn to before me this
The 18th day of August 1897.

My Commission will expire February 1899

David F. Moore
for his Child

Cherokee Nation

FILED
AUG 27 1887
H. McGuaway
SEC'Y.

My Commission will Expire February 1889.

Bohoshe Ind. Ter.
Aug. 17th 1897

Before the Hon Commission
Five Civilized Tribes
Sitting at Ft. Gibson I.T.

On this day personally appears before me the Undersigned David A. Moore whom after being duly Sworn deposeth and Says - I am a Recognized Citizen by blood of the Choctaw Nation I.T. And my name together with my two boys by my first wife (Deceased) viz. "Thomas" And "Stacy" now appears on the Authenticated Rolls of the Choctaw Nation. That on the 23rd day of December 1895 I was legally and lawfully married to Miss Dora M. Rabon a white Citizen of the United States and to the said marriage has been born One Girl Child viz "Cecil" who was born after said Rolls were taken. She was born on the 24th day of February 1897.

I hereby request that the name of Cecil Moore be placed upon the Authenticated Rolls of the Choctaw Nation.

I herewith furnish evidence backed up by three Lenial Citizens of the Choctaw Nation.

Together with a Certified Copy of Marriage Certificate.

Notice has also been forwarded to Hon Green McCurtain Principal Chief Choctaw Nation by me.

and

Very Respectfully
David H. Moore

Subscribed and Sworn to before me a Notary Public acting in and for the Central District of the Indian Territory this the 17th day of Aug. 1897.

B. B. Woodward
Notary Public

My Commission will Expire February 1899.

David H. Moore
for his child
Cherokee Nation

FILED
AUG 27 1897
H. M. Jeremy
SEC'Y.

IN RE

Application for Enrollment of

INFANT CHILD.

Cecil Moore

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

Card No. 2750

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Cecil Moore, born on the 24th day of February 1897.
Name of father: David A Moore a citizen of the Choctaw Nation.
Name of mother: Dora M. Moore, a citizen of the Choctaw Nation.
by Intermarriage
Post Office: Barkose I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Dora M. Moore, on oath, state that I am 19 years of age and a citizen, by Intermarriage, of the Choctaw Nation; that I am the lawful wife of David A Moore who is a citizen, by blood, of the Choctaw Nation; that a Girl child was born to me on the 24th day of February, 1897; that said child has been named Cecil Moore, and is now living.

Dora M. Moore.

Subscribed and sworn to before me this 17th day of June, 1897.

B. B. Woodward
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary J. Rabon, a , on oath, state that I attended on Mrs. Dora M Moore, wife of David A Moore on the 24th day of February 1897; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Cecil Moore.

Mary J Rabon

Subscribed and sworn to before me this 17th day of June, 1897.

B B Woodward
Notary Public.

IN RE

Application for Enrollment of

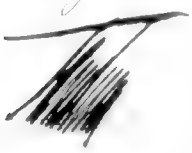
INFANT CHILD.

Shirl C. Moore

As a citizen of the

Cherokee Nation.

Approved June 14, 1979



Commissioner.

7-2958

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Illa May Moore, born on the 22nd day of August, 1898.
Name of father: David A. Moore, a citizen of the Choctaw Nation.
Name of mother: Dora M. Moore, a citizen of the Choctaw by marriage Nation.
Post Office: Bokoshe I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Dora M. Moore, on oath, state that I am 19 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of David A. Moore, who is a citizen, by blood, of the Choctaw Nation; that a Girl child was born to me on the 22nd day of August, 1898; that said child has been named Illa May Moore and is now living.

Dora M. Moore

Subscribed and sworn to before me this 14th day of June, 1899.

B. B. Woodward
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary J. Eaton, a , on oath, state that I attended on Mrs. Dora M. Moore, wife of David A. Moore on the 22nd day of August, 1898; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Illa May Moore.

Mary J. Eaton

Subscribed and sworn to before me this 14th day of June, 1899.

B. B. Woodward
Notary Public.

7-8750.

Muskogee, Indian Territory, May 6, 1903.

David A. Moore,

Nokosha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 28, 1903, stating that you have an infant child, and desire to be advised whether the same can now be placed upon the roll, requesting that a blank application for its enrollment be sent you.

A blank of such description is enclosed herewith. Your attention, however, is invited to the following provision of section 54 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations September 25, 1902:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

D A M S

Under the above legislation the Commission is now without authority to receive the application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

B.C.

2751 Estelle Gougher

Choc

2751

(3)

IN RE

Application for Enrollment of

INFANT CHILD.

Frank A. Craig

As a citizen of the

Choctaw Nation.

Approved MAY 24 1900

Commissioner.

MAY 24 1900

2551

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Frank Gongher, born on the 7 day of Nov, 1899
Name of father: J. J. Gongher, a citizen of the U. S. ~~Nation~~
Name of mother: Estelle Gongher, a citizen of the Choctaw Nation.
Post Office: Tigler I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
[illegible] District.

I, Estelle Gongher, on oath, state that I am 20 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of J. J. Gongher who is a citizen, ~~by~~ of C. N., of the [illegible] Nation; that a Male child was born to me on the 7 day of Nov, 1899; that said child has been named Frank Gongher and is now living.

Witnesses
Mrs. J. J. Shropshire
J. J. Shropshire

Estelle Gongher
Her mother X

Subscribed and sworn to before me this [illegible] day of Nov, 1899.

J. S. Tigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
[illegible] District.

I, [illegible], a [illegible], on oath, state that I attended on Mrs. [illegible] Tigler, wife of [illegible], on the 7 day of [illegible], 1899; that there was born to her on said date a [illegible] child; that said child is now living and is said to have been named [illegible].

Subscribed and sworn to before me this [illegible] day of [illegible], 1899.

J. S. Tigler
Notary Public.

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Julia Sougen.

as a citizen of

Choctaw Nation.

Approved OCT 1 1901 190....

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 4 1901

ACTING CHAIRMAN.

CHOCTAW.

3757

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the CHOCTAW Nation,

of Julia Gouger (Here insert name of child), born on the 21 day of July, 1901

Name of Father J. J. Gouger a citizen of the Choc. Nation.

Name of Mother Stella Gouger a citizen of the CHOCTAW Nation.

Post-office Stigler Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, Stella Gouger, on oath state that I am 23 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of J. J. Gouger, who is a citizen, by marriage, of the Choctaw Nation; that a female (male or female) child was born to me on 21 day of July 1901; that said child has been named Julia, and is now living.

Stella Gouger.

WITNESSES TO MARK
(Must be Two Witnesses)
Susan E Shropshire
Irene Cooper.

Subscribed and sworn to before me this 1st day of October 1901.

J R Alexander
NOTARY PUBLIC
My commission expires April 1 1903.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, J. D. Murphey, a Physician, on oath state that I attended on Mrs. Stella Gouger, wife of J. J. Gouger on the 21 day of July 1901; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Julia Gouger.

J. D. Murphey M.D.

WITNESSES TO MARK
(Must be Two Witnesses)

Subscribed and sworn to before me this 1st day of October 1901.

J R Alexander
NOTARY PUBLIC
My commission expires April 1 1903.

In matter of
application of
Frank Gouger
Choctaw.

2751

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
ALEXANDER S. MCKENNON,
THOMAS B. NEEDLES.
ALTISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory , January 15, 1900.

Mr. J. S. Stigler,

Stigler, Indian Territory,

Dear Sir:

There is returned to you herewith birth certificate in the matter of the application for enrollment of Frank Gouger. The affidavit of the mother and attending physician were executed before you. You will note that you neglected to attach your seal to the certificate of the physician.

Furthermore, it appears that the signature of the mother is written by some person other than Estelle Gouger; if it was intended to make her signature by mark, the same should be attested by two witnesses and you should so state.

Yours truly,

Acting Chairman.

Inclosure-3.

Muskogee, Indian Territory, October 4, 1901.

Mr. J. J. Gouger,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Julia Gouger, the infant daughter of J. J. and Stella Gouger, born July 21, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You are informed that the records of this office show that your surname is spelled "Gougher." In the affidavit of the mother to the birth of the child the surname is spelled "Gouger." You are kindly requested to inform this office which is the correct way of spelling your name. Please give this matter your prompt attention.

Yours truly,

7-2751

Acting Chairman.

Muskogee, Indian Territory, October 31, 1901.

J. J. Gouger,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th instant, in which you state that the correct spelling of your name is Gouger instead of Gougher, under which latter name your wife and children were listed for enrollment as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2751

Choctaw 2751

Muskogee, Indian Territory, April 23, 1902.

J.?J. Gouger,

Sansbois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, in which you state that you are married to a Choctaw woman by the name of Estelle Cooper, under United States license and you now desire to be advised what course to persue in order to be enrolled as a citizen by intermarriage of the Choctaw Nation.

Replying to your letter, you are advised that the Commission cannot give advice upon questions of this character nor can the Commission render decisions upon hypothetical questions of enrollment.

The Commission can only determine the rights of individuals to be enrolled as citizens of the Choctaw Nation upon the evidence submitted in support of such applications.

It does not appear from our records that any application has ever been made by or on behalf of J. J. Gouger for enrollment as a citizen by intermarriage of the Choctaw Nation.

J J G 2

If you are desirous of making such an application, it will be necessary for you to personally present yourself before the Commission for the purpose of examination under oath so that a sufficient record can be made upon which your rights to such enrollment may be determined. At that time the Commission will accept for consideration, evidence of your marriage to a citizen by blood of the Choctaw Nation as may be presented.

Yours truly,

Commissioner in Charge.

Choctaw 8751

Muskogee, Indian Territory, November 16, 1904.

Honorable Green McCurtain,
Kinta, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 13, asking the names and ages of the persons who are enrolled by the Commission as members of the family of Stella Gaugher who resides near Sans Bois, Indian Territory.

In reply to your letter you are advised that it does not appear from our records that any person by the name of Stella Gaugher is enrolled by the Commission as a citizen of the Choctaw Nation. It does appear, however, that Estelle Gouger, twenty one years of age in 1902, whose last known post office address was Sans Bois, Indian Territory, has been enrolled by the Commission as a citizen by blood of the Choctaw Nation, and with her have been enrolled her children, Frank and Julia Gouger, three and one year old respectively in 1902.

It is believed that this is the person referred to in your letter.

Respectfully,

Chairman.

Choctaw 2751.

Muskogee, Indian Territory, April 25, 1905.

J.J. Gouger,

Sans Bois, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Estelle Gouger and J.D. Murphy to the birth of Tokie Gouger, daughter of J.J. and Estelle Gouger, December 6, 19[illegible] and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.

7-2751

Muskogee, Indian Territory, August 30, 1905.

J. J. Gouger,

Stidler, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 25th, requesting to be advised as to what steps will be necessary for you to take to procure your enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it appears from the records of this office that you are the husband of Estelle Gouger, a citizen by blood of the Choctaw Nation, but that you have never been married to her in conformity with the tribal laws, customs and usages of the Choctaw Nation or ever personally made application to the Commission to the Five Civilized Tribes to be enrolled as a citizen by intermarriage of the Choctaw Nation.

You are further advised that this office is now without jurisdiction to receive or consider any original application for enrollment in the Choctaw or Chickasaw Nations.

Respectfully,

Commissioner.

2752 Milton Perry Choc

2752

IN RE

Application for Enrollment of

INFANT CHILD.

Elizabeth Penn

As a citizen of the

Cherokee Nation.

Approved June 15 1899

Commissioner.

Dec. 1066

7-2752

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Gilbert Perry, born on the 2 day of April, 1899.

Name of father: Milton Perry, a citizen of the Choctaw Nation.

Name of mother: Nicy Perry, a citizen of the Choctaw Nation.

Post Office: Iron Bridge

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Milton Perry, on oath, state that I am 36 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Nicy Perry who is a citizen, by blood, of the Choctaw Nation; that a male child was born to ~~me~~ on the 2 day of April, 1899; that said child has been named Gilbert Perry, and is now living.

Witness
P. L. Reuter

Milton his Perry mark

Subscribed and sworn to before me this 15 day of June A.D., 1899.

A S McKennon
Commissioner ~~Notary Public~~.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ Midwife.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Tommie Ton, a on oath, state that I know ~~attended on~~ Mrs. Nicy Perry, wife of Milton Perry that on the 2 day of April, 1899; ~~that~~ there was born to her ~~on~~ said date a male child; that said child is now living and is said to have been named Gilbert Perry.

Witness
P. L. Reuter

Tommie his Ton mark

Subscribed and sworn to before me this 15 day of June A.D., 1899.

A S McKennon
Commissioner ~~Notary Public~~.

IN RE

Application for Enrollment of

INFANT CHILD.

Jonas Perry

As a citizen of the

Cherokee Nation.

Approved June 15 1899

[illegible] Commissioner.

Roll 7065

7-2752

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Jonas Perry, born on the 20 day of ~~April~~ March, 1897.

Name of father: Milton Perry, a citizen of the Choctaw Nation.

Name of mother: Wicy Perry, a citizen of the Choctaw Nation.

Post Office: Iron Bridge, I. T.

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Milton Perry, on oath, state that I am 36 years of age and a citizen, by blood of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Wicy Perry who is a citizen, by blood, of the Choctaw Nation; that a male child was born to ~~me~~ us on the 20 day of March, 1897; that said child has been named Jonas Perry, and is now living.

Milton his mark Perry

Witness
B. F. Reuter.

Subscribed and sworn to before me this 15 day of June A. D., 1899.

A. S. McKennon
Commissioner ~~Notary Public~~.

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ Neighbor.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Tommie Tom, a ——, on oath, state that I ~~attended on~~ know Mrs. Wicy Perry, wife of Milton Perry, that on the 20 day of March, 1897; ~~that~~ there was born to ~~her on~~ said date a male child; that said child is now living and is said to have been named Jonas Perry.

Tommie his mark Tom

Witness
B. F. Reuter.

Subscribed and sworn to before me this 15 day of June A. D., 1899.

A. S. McKennon
Commissioner ~~Notary Public~~.

CHOCTAW. 7-2752

32

IN RE
THE DEATH OF

Milton Perry

a citizen of the

Choctaw *Nation.*

Approved MAY 23 1901 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 23 1901

ACTING CHAIRMAN

CHOCTAW.

2752

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Milton Perry (Here insert name of deceased) a citizen of the Choctaw Nation, who formerly resided at or near Iron Bridge (Here insert name of post office), Ind. Ter., and died on the 12th day of Oct 1899

I .

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nicey Perry, on oath state that I am 23 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge (Here insert name of post office), Ind. Ter.; that I am the Widow (State relationship as the father, an uncle, a cousin, etc.) of Milton Perry (Here insert name of deceased), who was a citizen, by Blood, of the Choctaw Nation; and that said Milton Perry (Here insert name of deceased) died on the 12th day of Oct 1899

her
Nicey x Perry.
Mark

WITNESSES TO MARK

(Must be Two Witnesses) Daniel Sam
Simon Isaac

Subscribed and sworn to before me this 17th day of May 1901.

M. W. Newman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Simeon Tom, on oath state that I am 4[illegible] years of age, and a citizen, by Blood, of the Choctaw Nation; that my post office address is Iron Bridge (Here insert name of post office), Ind. Ter.; that I was personally acquainted with Milton Perry (Here insert name of deceased), who was a citizen, by Blood, of the Choctaw Nation; and that said Milton Perry (Here insert name of deceased) died on the 1[illegible] day of Oct 1901

Simeon Tom

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th day of May 1901

M. W. Newman
Notary Public

CHOCTAW. 7- 2752 INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Albert Perry

as a citizen of

Choctaw Nation.

OCT 22 1902

Approved, 190

T. B. Needles

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 23 1902

ACTING CHAIRMAN.

CHOCTAW.

2752

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Albert Perry (Here insert name of child), born on the 21st day of Aug, 1902

Name of Father: Phillip Byington, a citizen of the Choctaw Nation.

Name of Mother: Wicey Perry, a citizen of the Choctaw Nation.

Post-office, Green Bridge I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Wicey Perry, on oath state that I am 25 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of ....., who is a citizen, by ....., of the ..... Nation, that a Male (male or female) child was born to me on the 21st day of Aug 1902 that said child has been named Albert Perry, and is now living.

Wicey her x mark Perry

WITNESSES TO MARK
(Must be Two Witnesses) Jerry Folsom
Kitziah Gones

Subscribed and sworn to before me this 18th *day of* Oct 1902

M W Newman NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Phoeby Scott, a Midwife, on oath state that I attended on Mrs. Wicey Perry, wife of ....., on the 21st day of Aug, 1902 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Albert

Phoeby her x mark Scott

WITNESSES TO MARK:
(Must be Two Witnesses) Jerry Folsom
Kitziah Gones

Subscribed and sworn to before me this 18th *day of* Oct 1902

M W Newman NOTARY PUBLIC

Muskogee, Indian Territory, March 11, 1901.

Vicey Perry,

Iron Bridge, Indian Territory.

Dear Madam:

The Commission has information of the death of your husband Milton Perry, subsequent to the time application was made for his enrollment, June 15th, 1899.

For the purpose of making the fact of his death a matter of record, there is enclosed you herewith a blank proof of death, which you will kindly have executed and return to the Commission.

In having the same executed, you will notice that there is a blank for the affidavit of a relative and an acquaintance. Both of these blanks should be filled out, all names written in full and the affidavits sworn to before a Notary Public. Should the relative or acquaintance making the affidavits be unable to write and their signatures are by mark, it will be necessary to have such signatures attested by two disinterested parties as witnesses thereto.

The Notary Public acknowledging the affidavits must affix his notarial jurat and seal to each separate affidavit. The Commission will appreciate your prompt attention to this matter.

An envelope for reply is enclosed you herewith.

Yours truly,

7-2752

Acting Chairman.

Muskogee, Indian Territory, May 23, 1901.

Mrs. Wicey Perry,

Ironbridge, Ind. Ter.

Dear Madam;-

The Commission is in receipt of your affidavit, and that of Simeon Tom, relative to the death of your husband, Milton Perry, which occurred October 12, 1899, and the same being in proper form has been duly filed with the records of the Commission.

You have the thanks of the Commission for your attention to this matter.

Yours truly,

7-2732. Acting Chairman.

7-2758.

Muskogee, Indian Territory, October 23, 1902.

Wicey Perry,

Care M.W. Newman,

Ironbridge, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Albert Perry, infant son of Phillip Byington and Wicey Perry, born August 21, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

2753 Thomas TOM choc

2753

Empty

2754 James W. Bohanan

choc

2754

MEMORANDUM.

Choctaw Case No. 3754.

Date

Name Annie Bohanan

Age 24.

Post-Office: Coteau, I.T.

~~Children~~:

Stenographer A. W. McMillan.

7-2754

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

ADDIE BOHANAN.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 18th, 1902.

Choctaw 2754
Intermarried

--------oOo-------

In the matter of the application of Annie Bohanan for enrollment as an intermarried citizen of the Choctaw Nation.

Annie Bohanan being first duly sworn testified as follows:

Examination by the Commission.

Q Is your name Annie Bohanan? A Yes sir.
Q How old are you? A Twenty-four.
Q What is your post office address? A Poteau.
Q How long have you been a resident of the Choctaw Nation?
A Six years.
Q Have you lived here continuously for the past six years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A James Bohanan.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir, not that I know of.
Q When were you married to James Bohanan? A 1899.
Q Where was this marriage ceremony performed? A Performed at his house about three miles from Poteau.
Q At that time were both you and your husband bona fide residents of the Choctaw nation? A Yes sir.
Q Who performed the marriage ceremony? A Myers--preacher Myers.
Q Were you married under a license? A Yes sir.
Q What kind of a license, United States or tribal? A (The applicant here produces paper)
Q This paper which you have in your possession is a certified copy of your marriage certificate? A Yes sir.
Q You didn't have a license did you? A No sir, I didn't have any.
Q Were you ever married previous to your marriage to James Bohanan?
A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A No sir.
Q Have you separated? A Yes sir.
Q When did this separation take place? A About three years ago.
Q How long did you live with him as his wife? A Five months.
Q What was the cause of this separation? A I don't know; he just left me.

Q Didn't he give you any reason for leaving you? A No sir.
Q Where did you live during those five months? A We lived out there in Skullyville county.
Q In the house that he furnished for you? A Yes sir.
Q Did he leave you in that house? A Why he left me, but wouldn't stay with me and of course I had to go home to my people.
Q Have you got any idea of the cause of that separation?
A He never did give me any reason for leaving.
Q Didn't you inquire of him what the trouble was? A Yes sir, but he wouldn't tell me anything about it.
Q Did you have any trouble during those five months which would lead you to believe that he was going to separate from you? A No sir, we had no bad troubles at all.
Q Have you ever heard from him since that time? A Yes sir.
Q Has he tried to get you to return to him? A No sir.
Q Have you ever tried to get him to return to you? A No sir.
Q Has there been any divorce? A No sir.
Q Are you still husband and wife? A Yes sir.
Q You have never lived with him since that time? A No sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.

- - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on saiddate.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles X Mason

Notary Public.

Choctaw 2734.

In the matter of the enrollment of [illegible] Johanna [illegible] intermarried [illegible] of the Choctaw Nation.

[illegible] of
Choctaw [illegible] Children [illegible]

Protest overruled by Department

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 6 1901

[illegible]
CHAIRMAN

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Annie Bohanan as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. 2754.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

Maynard & Murray & Cornish
Attorneys for the Choctaw & Chickasaw Nations.

January 23, 1904.

CPB

[illegible]

[illegible]-2[illegible].

[illegible] INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Annie Bohanan for enrollment as a citizen by intermarriage of the Choctaw Nation.

--: [illegible] :--

It appears from the record in this case that on June 1[illegible], 1[illegible], the applicant herein was lawfully married to James [illegible]. Bohanan, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 80[illegible]9 upon the lists prepared by this Commission under the act of Congress approved July [illegible], 1902 (32 Stat., [illegible]41), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior, January 1[illegible], 1903; that at the time of said marriage both parties above mentioned were residents in good faith of the Choctaw Nation; that they lived together continuously as husband and wife for about five months, when they separated; and that the applicant herein was a resident in good faith of the Choctaw Nation from the date of her marriage to the said James [illegible]. Bohanan up to and including September 2[illegible], 1902, and no divorce was obtained.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton [illegible]. Pearce (I.T. [illegible]. 4060-1904), relating to the question of forfeiture, Annie Bohanan should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 2[illegible], 1[illegible] (30 Stat., [illegible]) [illegible] July [illegible], 1902 (32 Stat., [illegible]41), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[signature]
Chairman.

[signature]
Commissioner.

C. R. Breckinridge
Commissioner.

[illegible], [illegible],

JAN [illegible] 1905

Choctaw 2754

COPY.

Muskogee, Indian Territory, January 14, 1905.

Annie Buchanan,

Poteau, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 14, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Incl. 7-2754.

Choctaw 2754

COPY.

Muskogee, Indian Territory, January 14, 1905.

W. H. Harrison,

Poteau, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 14, 1905, rendered its decision granting the application for the enrollment of Annie Bohanan as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Choctaw 2754

COPY.

Muskogee, Indian Territory, January 14, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered January 14, 1905, granting the application for the enrollment of Annie Bohanan as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

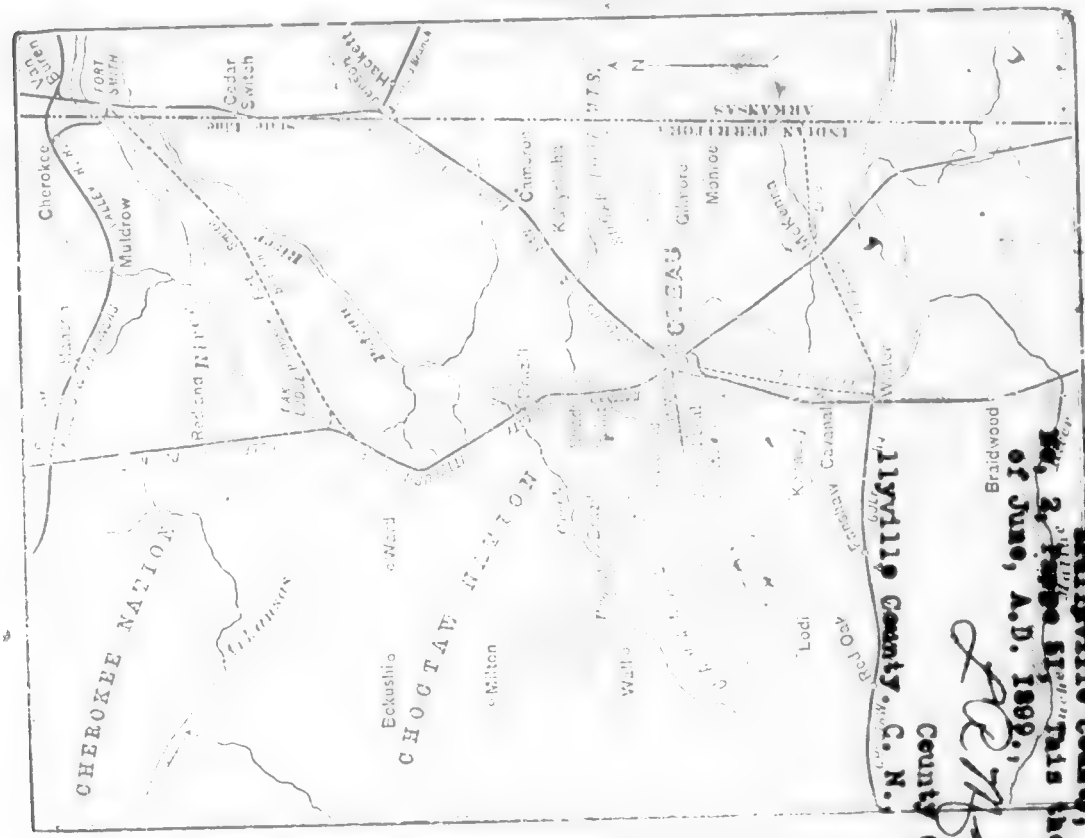
Registered.

Incl. 7-2754.

See Choctaw 5700 for registry receipt for this letter.

10,000 Bales of Cotton Marketed Annually.

Poteau Has Good Schools and Churches



POTEAU, IND. TER., is situated thirty miles southwest of Fort Smith, Ark., at the junction of the St. Louis & San Francisco and the Kansas City, Pittsburg & Gulf railroads, two of the greatest North and South Trunk Lines in the world. The city lies along the southeast foot of the great Cavanal Mountain and is surrounded by the finest farming country in the Indian Territory. The Indian Coal & Railway Co. has a line of railroad running from Poteau to their mines, three miles from town, where they have a mining plant worth many thousands of dollars. The coal is of the Pennsylvania quality and is unsurpassed by any coal mined in the west. Other companies are on the ground ready to begin operation as soon as titles to land can be secured.

The mercantile interests are extensive and rapidly growing, more business being done here than at all other points in the Territory on the Frisco Line between Fort Smith, Ark., and Paris, Tex.

Poteau lies within 1½ miles of the Poteau River, whose rich alluvial bottom lands contain the finest and best farms in the Territory. Thousands of acres of these rich lands are under cultivation and thousands yet uncultivated only await the hand of the industrious farmer to become the equals of any farms in the Sunny South. Abundant crops of everything are assured in this favored locality.

On account of the abundance of fuel, good water and transportation facilities Poteau is the best site for manufactories in the Southwest. Poteau has adopted the free school system, and has a $5,000 stone school building; has a Board of Public Affairs, of which Ed. McKenna is president and G. H. White is secretary. Inquiries concerning Poteau and surrounding country addressed to either of them or The Poteau News will receive prompt attention. Population, 2,000.

Recorded in the Records of Skullyville County, In Book No. 2, Page 51, This the 14th day of June, A.D. 1899.

County Clerk of Skullyville County, C. N.

CITY OFFICERS
G. H. WITT, Mayor.
L. L. SMITH, Recorder
J. F. MILLER, Treasurer
J. N. LYLE, Marshal
C. M. BAGWELL, City Att'y

Mayor's Office,

CITY OF POTEAU.

BOARD OF ALDERMEN
GEO PRICE
B. A. McDONALD
JACOB WILLIAMS
P. H. GREER
J. C. EARL

Poteau, I. T., _____ 1899.

Indian Territory
Skullyville County
Choctaw Nation

I Jas. H. Myers a regular Ordained Minister of the Gospel duly authorized to Solemnize the rites of Matrimony, do hereby certify that I did on 13th day June 1899 solemnize the rites of Matrimony between James W. Bohannon twenty four years of age and Miss Annie Trammell ~~nineteen~~ years of age, in said County and did then and there declare them husband and wife.

Given under my hand as such Minister of the Gospel this 13th day of June 1899

James H. Myers
Minister of the Gospel
M E Church South

My Credentials are duly recorded at Muskogee I. T.

CHOCTAW. Jon

20

IN RE

Application for Enrollment of

INFANT CHILD

Elmer Wear Bohannan

as a citizen of

Choctaw Nation.

Approved, APR 6 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 6 1901

ACTING CHAIRMAN

CHOCTAW.

2775

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Elmer Wear Bohannan, born on the 10 day of July, 1899

(Here insert name of child)

Name of Father: James Bohannan, a citizen of the Choctaw Nation.

Name of Mother: Annie Bohannan, a citizen of the United States Nation.

Post-office,

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Annie Bohannan, on oath state that I am 29 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of James Bohannan, who is a citizen, by Blood, of the Choctaw Nation, that a Male (male or female) child was born to me on the 10 day of July, 1899; that said child has been named Elmer Wear Bohannan, and is now living.

Annie Bohannan

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 3 *day of* April *1901*.

LL Smith

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, J B Wear, a Physician, on oath state that I attended on Mrs. Annie Bohannan, wife of James Bohannan, on the 10 day of July, 1899; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Elmer Wear Bohannan.

J. B. Wear M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 3 *day of* April *1901*.

LL Smith

NOTARY PUBLIC

Muskogee, Indian Territory, March 25, 1901.

W. C . Page,

Potean, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant , in which you desire to be informed if Elmer W. Bohannon, the infant son of James and Annie Bohannon has been listed for enrollment as a citizen of the Choctaw Nation.

Replying to your letter you are informed that the records of this Commission do not show that anychild by this name has ever been listed for enrollment as a citizen of the Choctaw Nation.

For the purpose of applications for enrollment of infant children, the Commission uses a blank, one of which is enclosed you herewith, upon which may be stated all the information necessary to the enrollment of an infant child. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in the event either the mother or attending physician or nurse making affidavit to the birth of the child, are unable to write and their signatures are by mark, that such signatures are attested by two disinterested parties as witnesses thereto.

The Notary Public taking the acknowledgements of the mother and attending physician or nurse must affix his notarial jurat and seal to each separate affidavit.

W C P 2

Upon receipt of this application in proper form, the matter will receive proper attention.

Yours truly,

Acting Chairman.

BC

Muskogee, Indian Territory, April 6, 1901.

Mr. James Bohannan,

Poteau, Indian Territory.

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Elmer Wear Bohannan, infant son of James and Annie Bohannan, born April 10, 1899, and the same being in proper form, has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

8- 2754.

Poteau, Indian Territory,
September 16th, 1901.

Commission to the five tribes,
Muskogee, Ind. T.

In Re, the enrollment of Almer Wear Bohannon,

Gentlemen:

Some time in April of the present Year, Mrs Annie Bohannon, sent you an application for the enrollment of her infant son, XXX a choctaw by blood named Almer Wear Bohannon, [illegible] and his age should read July 10th 1900. instead of April 10th 1900. If this makes any material difference please advise me and we will make a new application.

Yours very truly.

C. A. Welch

Muskogee, Indian Territory, September 20, 1901.

Mr. C. A. Welch,
District Attorney,
Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant, in which you state that some time in April of the present year Mrs. Annie Rohannon sent to this office an application for the enrollment of her infant son, Almer Wear Rohannon. You further state that the date of the child's birth should have been placed in the proper blank in the application as of July 10, 1900, instead of April 10, 1900.

You are informed that an examination of the application for the enrollment of the infant child, Almer W. Rohannon, shows that it appears in the affidavit of the mother, as well as in the affidavit of the attending physician, that this child was born July 10, 1899. If these affidavits incorrectly state the date of the birth of this child, a new application for its enrollment should be made, for which purpose there is enclosed you herewith a blank, and upon its return, properly executed, the matter will receive proper consideration.

Yours truly,

7 2754

Enclosure.
B.C.

Acting Chairman.

7-2784

Muskogee, Indian Territory, September 29, 1903.

Annie Bohanan,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 21st instant, requesting information relative to the enrollment of James W. Bohanan and his wife, Annie, and their minor son, Elmer W. Bohanan.

You are informed it appears from our records that James W. Bohanan and his minor son, Elmer Wear Bohanan, have been duly enrolled as citizens by blood of the Choctaw Nation by this Commission and their enrollment as such approved by the Secretary of the Interior January 17, 1903.

It further appears from our records that Annie Bohanan is an applicant to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation, but no decision relative to her right to final enrollment as such has yet been rendered by the Commission. As soon as a decision is rendered in your case notice of the action taken therein by the Commission will be forwarded to your present post office address.

Respectfully,

Chairman.

7-2754.

Muskogee, Indian Territory, October 10,1903.

Annie Bohanan,

Poteau, Indian Territory.

Dear Madam:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony taken before the Commission at its session at Wister, Indian Territory, on December 18, 1902, that you claim your intermarried rights in the Choctaw Nation by virtue of your marriage to James Bohanan in 1899, and that you and he were separated five months after your marriage.

You are advised that before further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to furnish the Commission with further evidence as to the circumstances attending your separation from your said husband, James Bohanan.

You are informed that it would be well for you to appear in person before the Commission at its office at Muskogee Indian Territory, together with such witnesses as you may be able to produce, who are conversant with the facts attending

your separation from your husband.

This matter should receive your immediate attention.

Respectfully,

Chairman.

Choctaw 2754

Muskogee, Indian Territory, February 10, 1904.

Annie Bohanan,

Poteau, Indian Territory,

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Chootaw-2754

Muskogee, Indian Territory, December 28, 1903.

James W. Bohanan,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 19, 1903, asking the status of the enrollment of your wife as an intermarried citizen of the Chootaw Nation.

In reply to your letter you are informed that the Commissio has not yet passed upon the application of Annie Bohanan, wife of James W. Bohanan, for enrollment as an intermarried citizen of the Chootaw Nation.

As soon as a decision is reached in this case she will be notified of the action taken therein.

Respectf ully,

Chairman.

Choctaw 2754

Muskogee, Indian Territory, April 15, 1904.

Mrs. Anna Bohannan,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of April 5, in which you state that you and your husband were living together at the time of his death, and that neither of you had instituted divorce proceedings. You state that as he was a member of the Choctaw Tribe of Indians by blood, it seems to you that you should also be enrolled and that if there is anything lacking in the proof you state that you will procure the same.

In reply to your letter you are informed that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, but as soon as a decision is reached you will be notified of the action taken therein. If further evidence is necessary to enable the Commission to pass upon your application for enrollment as a citizen by intermarriage of the Choctaw Nation you will be duly notified.

Respectfully,

Commissioner in Charge.

7-2754

Muskogee, Indian Territory, November 16, 1904.

W. H. Harrison,

Poteau, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 12th instant, requesting information relative to the status of the application for enrollment of Annie Bohanan as an intermarried citizen of the Choctaw Nation.

You are informed that the application for the enrollment of Annie Bohanan as an intermarried citizen of the Choctaw Nation is now under consideration by the Commission and as soon as a decision is reached in her case you and the applicant will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw 2754

Muskogee, Indian Territory, March 31, 1904.

Mrs. Anna Bohannon,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 26, asking the status of your enrollment as an intermarried citizen of the Choctaw Nation and stating that you are the wife of James W. Bohannon, who was recently killed, and that you desire to look after your son's allotment.

In reply to your letter you are informed that the Commission has not passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation and, on February 6, 1904, there was filed with the record in your case, the protest of the attorneys for the Choctaw and Chickasaw Nations, dated January 23, 1904, in which they request that final decision in your case be postponed until final decision by the Choctaw-Chickasaw Citizenship Court in the case of B. F. Thompson, vs. Choctaw Nation, No. 38 on the South McAlester docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separated from their Indian spouses, which question, they allege, is involved in your case.

A B 2

Under the instructions of the Secretary of the Interior of November 18, 1903, the Commission is estopped from further action in cases of this character wherein protests have been filed by the attorneys for the Choctaw and Chickasaw Nations until further directed by the Department.

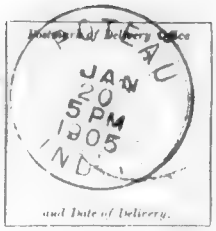
You are advised that your son, Elmer Wear Bohannon has been enrolled by this Commission as a citizen by blood of the Choctaw Nation and his enrollment as such approved by the Secretary of the Interior January 17, 1903.

Respectfully,

Commissioner in Charge.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.



Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender

Street and Number, or Post Office Box.

MUSKOGEE,

INDIAN TERRITORY.

REGISTRY RETURN RECEIPT. Form No. 1548

Received from the Postmaster at Atoka I.T.
(Delivering office.)

Registered ~~Parcel~~ Letter No. 10589 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to N. H. Harrison.
(Name of addressee.)

Date ....., 190
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

N.H. Harrison
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee except upon addressee's written order

When the above receipt has been properly signed it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without charge for postage

2755 James Trahery choc

2755

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

VIRGINIA P. TRAHERN, 7 - 2756

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 2756
Intermarried

--------oOo--------

In the matter of the application of Virginia P. Trahern for enrollment as an intermarried citizen of the Choctaw Nation.

Virginia P. Trahern being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Virginia P. Trahern.
Q How old are you? A Forty-five.
Q What is your post office address? A Sutter.
Q That's in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A Twenty-five years.
Q Have you lived here continuously for the past twenty-five years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A James N. Trahern.
Q Was he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Were his rights as such ever disputed? A No sir.
Q When were you married to James M. Trahern? A '87.
Q Where was this marriage ceremony performed? A Brazil.
Q At that time were both you and your husband bona fide re sidents of the Choctaw Nation? A yes sir.
Q Who performed the marriage ceremony? A Parson Cass.
Q Were you married under a license? A Yes sir.
Q What kind of a license was it? A We was married under the United States law and Choctaw both.
Q Did you get a license from both? A No, we didn't get a license from the Choctaw tribes.
Q From what State did you get the license? A Arkansas.
Q Was there just one marriage ceremony? A We had one performed in Fort Smith and one out here at Brazil.
Q How far apart were these marriage ceremonies? A Five or six months; I don't know just exactly.
Q Any separation between these two? A No sir.
Q Were you ever married previous to your marriage to James N. Trahern? A No sir.
Q Was he ever married before his marriage to you? A Yes sir.
Q How many times? A Once.
Q What was the name of his former wife? A Sarah Trahern.
Q Was she a white woman? A No sir.

Q Indian? A Yes sir.
Q Was she dead at the time of your marriage to him? A Oh, yes.
Q How long did you live with James N. Trahern after your marriage to him? A Six years.
Q At the end of that time did he die or did you separate?
A No, he died.
Q Was there any separation between you two during that time?
A No sir.
Q After his death did you remarry? A No sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you then apply as an intermarried citizen? A Yes sir.
Q What action was taken upon your case by the Commission? A It was alright; he just had me come over because one of the children was dead.
Q Was your case appealed to the United States Court? A No sir, I was recognized as a citizen.

- - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles McDaniel

Notary Public.

7 2756

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Virginia P. Trahern as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the census card record in this case that Virginia P. Trahern (nee Closson), appeared before the Commission at Spiro, Indian Territory, on June 15, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Wister, Indian Territory, December 17, 1902.

It further appears from the records of the Commission that on September 8, 1896, in the case entitled "Mrs. V. P. Trahern vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case number 53), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with James N. Trahern, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 1, 1896, the said Virginia P. Trahern was by this Commission admitted to citizenship in the Choctaw Nation as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission in 1896 up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Virginia P. Trahern should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAY 6 1903

Choctaw 1760

COPY

Muskogee, Indian Territory, May 6, 1903.

Virginia P. Trahern,

Sutter, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby
Chairman.

Registered.

Enc. NEW F.

COPY.

Choctaw 2756

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Virginia P. Trahern for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, SIGNED

Tams Bixby.

Chairman.

Register.

Enc. MMW 6.

MEMORANDUM.

Choctaw Case No. [illegible]

Date

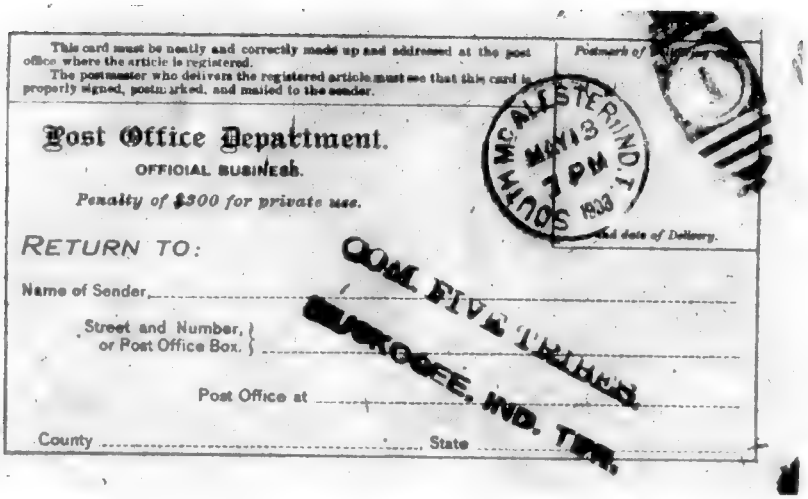
Name [illegible]

Age 45

Post-Office: Butler I. T.

~~Children~~:

Stenographer A. G. McMillan



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of [illegible]

SOUTH McALESTER, IND. T.
MAY 13
7 PM
1903

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

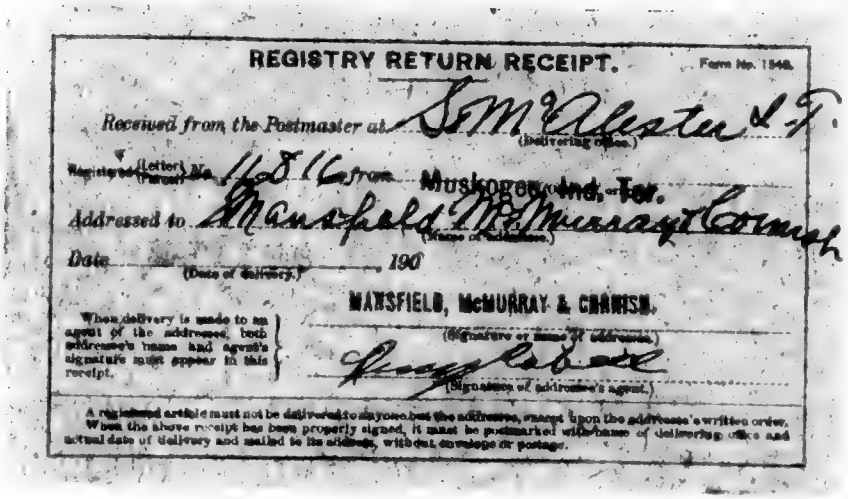
Name of Sender, ...

Street and Number, or Post Office Box. .....

Post Office at .....

County ..... State .....

COM. FIVE TRIBES.
MUSKOGEE, IND. TER.



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at S. McAlester I. T.
(Delivering office.)

Registered (Letter) (Parcel) No. 11816 from Muskogee, Ind. Ter.

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

Date _____ (Date of delivery.) 190

MANSFIELD, McMURRAY & CORNISH.
(Signature or name of addressee.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

[illegible]
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2756 Virginia P. Trachery choc

2756.

This is to certify that
on the 11 day of
aug 1877 regular
ordained minister of
the Baptist church
performed the bond
of matrimony between
mr James N Frakern and
mrs W. P. Cloyson

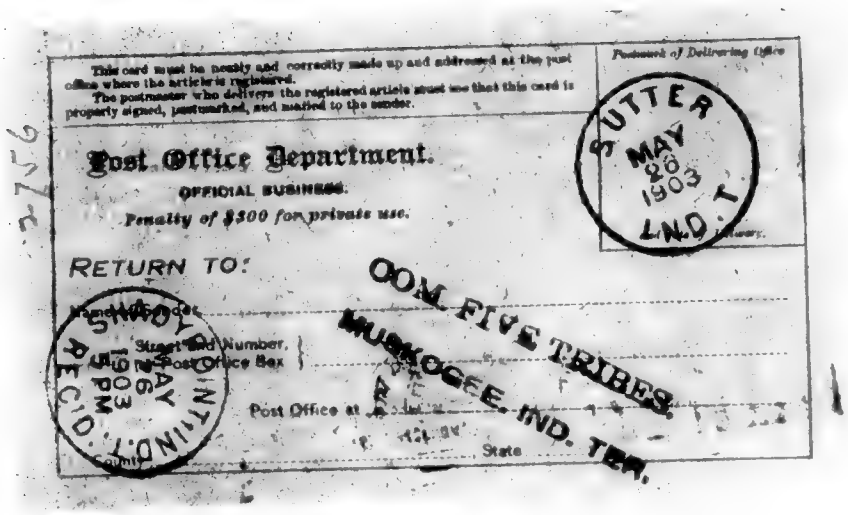
Lewis Cass

Recorded on Page 173
of the Record of
Scottsville County
Ky this June 7 AD
1880

[illegible] Ward
County Clerk of Scottsville Co
C.N.

I certify that this
is a true copy of
the original certi-
ficate this the
6 day apr sept 1894

a [illegible]
notary public



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

SUTTER MAY 26 1903 IND. T.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender

Street and Number, or Post Office Box

Post Office at

County State

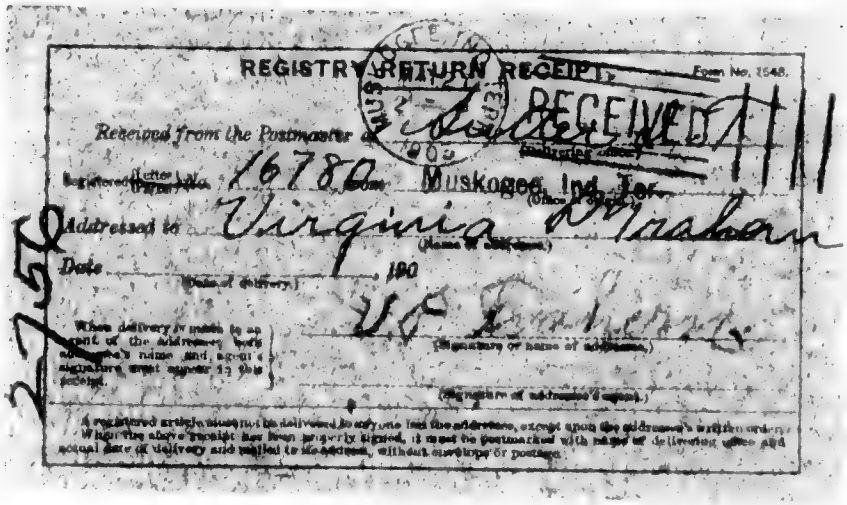
COM. FIVE TRIBES.

MUSKOGEE, IND. TER.

MAY 6 1903 5 PM REC'D. INT. IND. T.

2756

2756



REGISTRY RETURN RECEIPT. Form No. 1548.

MUSKOGEE, IND. TER. 1903

RECEIVED

Received from the Postmaster at Sutter, N.C.
(Delivering office.)

Registered (Letter) (Parcel) No. 16780 from Muskogee, Ind. Ter.
(Office of origin.)

Addressed to Virginia D. Graham
(Name of addressee.)

Date _____ 190
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

V. P. [illegible]
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order.

When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2757 Etha M. James Choc

2757

Mollie J. Davis Transferred from Choc. D245
Jan 30, 1905

7-D-245.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

Mollie J. Davis.

D. 745

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In enrollment of Mollie J. Davis as intermarried Choctaw; being sworn and examined by Com'r McKennon she testifies:

Q You claim the right of enrollment as an intermarried Choctaw citizen do you? A Yes sir.

Q What's the name of the Choctaw citizen whom you married?

A Davis James.

Q When did you marry him? A In 1881.

Q How long did you live with him? A Six years.

Q Until his death? A Yes sir.

Q You have since married a United States citizen and a white man? A Yes sir.

Q When? A Nine years ago.

Q You have been living all the while in the Choctaw Nation?

A Yes sir.

Department of the Interior,

Choc. D-245.

Department of the Interior,
Commission to the Five Civilized Tribes,

Atoka, Indian Territory, September 6, 1904.

In the matter of the application of Mollie J. Davis, for enrollment as a citizen by marriage of the Choctaw Nation.

----o----

MARY JANE DAVIS, being first duly sworn, testifies in her own behalf as follows:

Examination by the Commission.

Q What is your name? A Mollie Davis.
Q Is your name Mary or Mollie? A Well, I go by the name of Mollie, but my name is Mary Jane.
Q How old are you? A I will be 44 years old the first day of December.
Q What is your post-office address? A Poteau, I. T.
Q How long have you lived in the Choctaw Nation? A All my life; born and raised here.
Q You have never lived anywhere else? A I lived in Fort Smith a few years, during the war,--the last of the war.
Q What is your father's name? A James McKinney.
Q Is he living? A No, he is dead.
Q What is your mother's name? A Elizabeth McKinney.
Q Is she living? A No, she is dead.
Q Were your father and mother both white persons,--citizens of the United States? A Yes, sir.
Q You claim to be an intermarried citizen of the Choctaw Nation, do you? A Yes, sir.
Q What is the name of your Choctaw husband? A Davis James.
Q Is he a full-blood Choctaw Indian? A No, sir, not exactly a full-blood, he is a half-breed.
Q Is he a recognized citizen? A Yes, sir.
Q Has he always been recognized as such? A Yes, sir.
Q Has there ever been any question as to his right to enrollment? A No, sir.
Q Have you any children by Davis James? A Yes.
Q Name them? A Etha M. James, Walton D. James, Dennis James and Davis James.
Q Have you any other children? A No, sir.
Q Do these children all live with you? A All but the daughter,--she is married.

By the Commission: The names of the applicant's children appear upon Choctaw Roll Card Number 2757, approved roll of citizens by blood of the Choctaw Nation numbers 8073 to 8076 inclusive.

Q When were you married to Davis James? A I was married to him 22 years ago in December,--the 19th day of December.
Q Were you ever married before you married Davis James? A No.
Q Was he ever married before he married you? A No, sir.

Q Where were you living at that time? A I was living,--well, I reckon Hackett City was the nearest post-office at that time. Green Hill was the church house.
Q Who married you? A Parson McNall.
Q Do you know the date you were married? A I was married in '81,--December 29th.
Q How long after your marriage to Davis James did you live with him? A Six years,--until he died.
Q During that time was there any separation, desertion or divorce? A No, sir.
Q You lived together as husband and wife until his death? A Yes, sir.
Q These children you have named were all born while you were living together in lawful wedlock? A Yes, sir.
Q When was it that Davis James died? A It will be 14 years the 8th of this month; he died on the 8th of September.
Q After his death did you re-marry? A Yes, sir.
Q How many times? A One time.
Q Whom did you marry? A William Davis. He died.
Q When were you married to him? A I married in 2 years after my first husband's death.
Q How long did you live with Davis? A He died,--it will be 5 years this December.
Q You have not re-married since then? A No, sir.
Q At the time of your marriage to Davis James were you living in the Choctaw Nation? A Yes, sir, him and me was raised up in the same neighborhood together.
Q You have always lived in the Choctaw Nation since then? A Yes. I was born at New Hope College.
Q You have lived in the Choctaw Nation all your life? A Yes, I have always lived in Skulleyville and Sugar Loaf Counties.
Q Were you ever enrolled by the Choctaws as a Choctaw Citizen? A Yes, sir, drew money.
Q What money did you draw? A The net proceed money.
Q When was that? A That has been about 15 years ago.
Q You did not draw the '93 money? A Yes, sir.
Q For yourself? A Yes, we drawed $400 and something for myself and children.
Q That was for your four children; the Choctaws didn't pay the '93 money to white people? A I have drawed twice, I know.
Q Wasn't the time you drew -- in '93 -- for your children?
AA Not that I remember of; I don't remember drawing anything for them when I didn't draw for myself .
Q How much did you get in 1893? A It was either $450 or $550, and I can't remember which.

Witness excused.

Mary E. Rogers, having been by me first duly sworn, on oath states that the above and foregoing is a full, true and correct transcript of her stenographic notes as taken in said cause on said date.

Mary E. Rogers

Subscribed and sworn to before me on this 8th day of September, 1904.

W. W. Kelly
Notary Public.

OFFICE OF

T. J. PHILLIPS,

DEALER IN

General Merchandise,

South Canadian, Ind. Ter. 1896

Central Judicial Division
Indian Territory

I, J. B. McNabb do hereby certify that I did unite in marriage Mr. D. James and Miss Mollie McKenny on or about Dec. 29th 1881.

In witness hereoff I hereunto set my hand and seal this 4th day of Sept. 1896

J. B. McNabb.

Sworn and Subscribed to before me this the 4th day of Sept. 1896

M. C. Kenny
Notary Public

7-1-285.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mollie J. Davis as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the record herein that the applicant Mollie J. Davis, on December 29, 1881, was married to Davis James, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name (as David James) appears upon the 1885 Choctaw Census Roll, Skullyville County, number 595; that at the time of said marriage both the applicant herein and her said husband were residents in good faith of the Choctaw Nation, and they lived together in said Nation as husband and wife until the death of said Davis James in the year 1889; that thereafter in 1890, the applicant herein married William Davis, a white man claiming no rights of Choctaw citizenship by blood, who died in 1899.

The name of the applicant (as Mary James) appears on the 1885 Choctaw Census Roll, Skullyville County, number 596.

It further appears that the applicant herein was a resident in good faith of the Choctaw Nation from the time of her marriage on December 29, 1881, up to and including September 25, 1902.

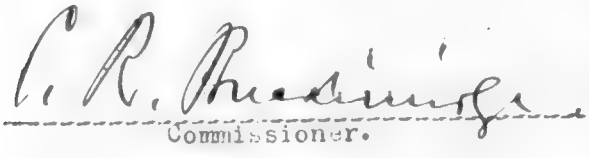
It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I. T. D. 4060-1904) relative to the question of forfeiture, Mollie J. Davis should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the pro-

visions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.



Commissioner.

Muskogee, Indian Territory.

JAN 1 . 1905

Choctaw D 245

COPY.

Muskogee, Indian Territory, January 14, 1905.

Mollie J. Davis,

Poteau, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 14, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-D-245

COPY.

Choctaw D 245

Muskogee, Indian Territory, January 14, 1905.

Spaulding & Bagwell,

Attorneys at Law,

Poteau, Indian Territory,

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 14, 1905, rendered its decision granting the application for the enrollment of Mollie J. Davis as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Registered.

Chairman.

Choctaw D 245

COPY.

Muskogee, Indian Territory, January 14, 1905.

Day & Buckley,

Attorneys at Law,

Poteau, Indian Territory,

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 14, 1905, rendered its decision granting the application for the enrollment of Mollie J. Davis as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Registered.

Chairman.

Choctaw D 245

COPY.

Muskogee, Indian Territory, January 14, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered January 14, 1905, granting the application for the enrollment of Mollie J. Davis as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-3-245.

See Choctaw 8700 for registry receipt for this letter.

NO. 1606. Form No. 593.

M A R R I A G E L I C E N S E.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss:
CENTRAL DISTRICT.)

To any person authorized by law to solemnize marriage--

GREETING:

You are hereby commanded to solemnize the rite and publish the banns of matrimony between Mr. Arthur Doshier of Sutter in the Indian Territory, aged 22 years, and Miss Etha James of Shady Point in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 8th day of November, A.D. 1902.

(Signed) E.J. Fannin,

By T.T. Varner, Deputy. Clerk of the United States Court.

(SEAL)

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) ss:
CENTRAL DISTRICT.)

I, W.S. Marchant, a Minister, do hereby CERTIFY, that on the 9 day of November, A.D. 1902, I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the banns of matrimony between the parties therein named.

Witness my hand this 9 day of November, A.D. 1902.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 47.

(Signed) W.S. Marchant, a Minister.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

ACTING CHAIRMAN

CHOCTAW.

2757

NOTE.— This license and certificate of marriage must be returned to the office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the license was issued will be liable in the amount of One Hundred Dollars ($100.00).

Endorsed: NO. 1606.

CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) SCT:
CENTRAL DISTRICT.)

I, E.J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the license for and certificate of the marriage of Mr. Arthur Doshier and Miss Etha James was filed in my office in said Territory and District the 10 day of December, A.D. 1902, and duly recorded in Book 2 of Marriage Record, Page 185.

WITNESS my hand and seal of said Court, this 26" day of December, A.D. 1902.

By T.T. Varner, Deputy. (Signed) E.J. Fannin, Clerk.

(SEAL)

Beryl Ingram, stenographer to the Commission to the Five Civilized Tribes, being duly sworn, upon her oath states that the above and foregoing is a full, true and correct copy of the original marriage license and certificate between Arthur Doshier and Etha James, as offered for filing with the records of said Commission.

Beryl Ingram

Subscribed and sworn to before me this 4th day of February, 1903.

Charles W. Sampson

Notary Public.

C O P Y.

Summerfild, Ind. Ter. Oct. 18th, 1896.

Mrs. Mollie Davis,

Dear Friend

We posibly can not Take youre name on the Enrollment Book according to your case. By the Acts of the Lawes you have forfit youre wrights and privilidges. You forfit youre wrights When you Married a White Man, After youre Married to a citizen, So we can not possibly Enroll you name.

From yourse

(SEAL) S.W. Folsom & Co.,

C O P Y.

San Bois, I.T. Aug...1897.

I hereby acknowledge receipt of a registered letter from Spaulding & Bagwell, containing copies of papers in citizenship claim of Mollie J. Davis for herself and her four children as follows: copy of statement and argument of counsel, of affidavit of Mollie J. Davis, of notice signed F.W. Folsom & Co., of marriage certificate, of affidavit of Mary F. McClure, of affidavit of Francis Sage, of affidavit of Walter Beard, of affidavit of S.W. Folsom, being eight papers.

(Signed) Green McCurtain,

Principal Chief, Choctaw Nation.

Copy.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS.

MARY J. DAVIS, ELMER DAVIS, ELVIN DAVIS,
HARMON F. DAVIS AND CLEVELAND DAVIS, Plaintiffs,

Vs

T H E C H O C T A W N A T I O N, Defendant.

1st. This defendant, answering for the bona fide citizens of the Choctaw Nation, says that the object and purpose of petitioners is to have themselves enrolled as Choctaw citizens, that they may thereby acquire a right and interest in the lands of the Choctaw people, and they ought not to have or prosecute their said petition before this Honorable Commission, because the purpose and effect thereof, if their said petition should be granted, will be to deprive the Choctaw people of their lands and property, without the due process of law provided for by the Constitution of the Untied States, and without a trial by jury, as guaranteed by the Constitution and laws of the United States, and because the Choctaw Nation is the true and only judge of its own citizens.

2nd. Defendant, further answering, says that petitioner Mary J. Davis is not a Choctaw Indian by blood, but is a white person, who claims to have been married to Davis James, a Choctaw Indian. Defendant says that under the laws of the Choctaw Nation in force at the time of the marriage of Mary J. Davis to Davis James, all the rights to Choctaw citizenship which were acquired by said Mary J. Davis through her marriage to said David James were forfeited by her subsequent marriage with Wm. M. Davis, a white person and not a citizen of the Choctaw Nation. That the other petitioners, Elmer Davis, Elvin Davis, Harmon F. Davis and

Cleveland Davis, are each the issue of the marriage between said Mary J. Davis and Wm. M. Davis, both white persons and neither Choctaw Indians by blood or adoption. That being white persons and not Choctaw citizens, they could not impart citizenship to their children, the petitioners.

(Signed) Cravens and Cravens,

Attys. for Choctaw Nation.

7-D-245

Muskogee, Indian Territory, February 26, 1903.

Mollie J. Davis,

Poteau, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903. The act of Congress approved July 1, 1902, provides:

> "No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at this place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

Muscogee, Indian Territory,

August 13th, 1900.

Mollie J. Davis,

Wetumka, Indian Territory,

Dear Madam:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Mansfield, Murray, Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Atoka, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and the hearing will be final.

Yours truly,

Acting Chairman.

7-1-1-b.

Indian Territory }
Central District } ss.

Mary F. McClure being duly sworn on her oath says, that she is 41 years of age, that she resides near Cameron in the Choctaw Nation Indian Territory, that she is an intermarried Citizen of the Choctaw tribe of Indians in the Indian Territory regularly enrolled,

That she was well acquainted with Davis James who was nearly a full blood Choctaw Indian during his life time, that she was also well acquainted with Mollie J. McKinney a white woman.

That on December 29th AD 1881 she witnessed the marriage of said Davis James to said Mollie J. McKinney in Schulleyville County, Choctaw Nation, Indian Territory. the said marriage was regularly Solemnized by Rev. N. B. McNabb & regularly

ordained minister of the gospel,

That said Davis James died in the fall of 1889 leaving surviving him his widow and four children,

That his widow afterwards married William M. Davis a white man and now has living with her as the issue of such marriage four children whos names and ages are as follows. Elmer Davis and Elvin Davis "twins" aged 6 years. Harmon T. Davis aged 4 years and Cleveland Davis aged 2 years.

That said Mollie J. Davis late "widow of Davis James" is now and has for more than 20 years been a resident of the Choctaw Nation in the Indian Territory.

Mary F. McClure.

Subscribed in my presence and sworn to before me this 9th day of August 1897.

C M Bagwell
Notary Public

Indian Territory }
Central District } ss.

Frances Sage being duly sworn on her oath says that she is 50 years of age, that she resides at Potrau, in the Choctaw Nation Indian Territory, that she is a Choctaw Citizen by blood and regularly enrolled as such,

That she was acquainted with Davis James "deceased" during his life time, and knew him to be a Choctaw Indian "Nearly full blood" by blood and regularly enrolled and recognized as a citizen of the Choctaw Nation, Indian Territory. Affiant further says she was during the life time of said Davis James and now is well acquainted with his widow, now Mrs Mollie J. Davis

Affiant further says that said Mollie J. Davis widow of Davis

8

James is now and ever since before 1880 has been an actual resident of the Choctaw Nation in the Indian Territory and that she now has with her four children the issue of her marriage with her present husband William M Davis whose names and ages are, Elmer and Elvin "Sims" aged Six - Harmon F. aged 4 years and Cleveland Davis aged 2 years.

That she was well acquainted with Rev. N. B. McNabb and knows that he was a regularly ordained minister of the gospel and that he solemnized marriage in the Indian Territory.

Affiant further says that she is not related to the above named parties or either of them.

Frances Vogt

Subscribed in my presence and sworn to before me this 9th day of August 1897.

A M Bugwell
Notary Public

4

Indian Territory }
Central District } ss.

Walter Beard being duly sworn on oath says. That he is 42 years of age, that he resides at Tolrah Indian Territory and is an Intermarried Citizen of the Choctaw Tribe of Indians in the Choctaw Nation Indian Territory.

That ~~he~~ was well acquainted with Davis James deceased in his life time, that he was a Choctaw Indian "nearly full blood" regularly enrolled and recognized by the Choctaw Nation, Ind. Ter. that in 1881. said Davis James was married to Mollie J. McKinney a white woman, That said Davis James died about September 1889 having surviving him his widow and four children, the issue of such marriage.

10

that afterwards his widow married William M. Davis and now has living with her as the issue of such marriage four children

That said Mollie J Davis late widow of Davis James is now and for more than 20 years has been an actual resident of the Choctaw Nation in the Indian Territory.

Walter Beard

Subscribed in my presence and sworn to before me this 9th day of August 1897.

C M Bagwell
Notary Public

Indian Territory }
Central District } ss. S. W. Folsom of
lawful age being duly sworn on oath
says that he was Chairman of the
Choctaw enrolling Commission for
Sugar Loaf County, Choctaw Nation in
the Indian Territory Appointed by
the Principal Chief of the Choctaw
Nation pursuant to An Act of the
Choctaw Council Approved Sept 18th 1896,
That he is acquainted with Mrs. Mollie J.
Davis late widow of Davis James and
was acquainted with Davis James during
his life time and knew him to be a Choc-
taw Indian, That said Mrs. Mollie J
Davis made application to such Choctaw
Commission and was denied enroll-
ment by it for the sole reason that
it believed she had forfeited her rights
by marrying a white man, and for no other
reason, Affiant further says that said
Mollie J. Davis is an actual resident of the
Choctaw Nation, Ind. Ter. and entitled to be
enrolled as an Intermarried Citizen, unless
such right was forfeited by her remarriage
with a white man.

Subscribed in my presence and sworn
to before me this 11 day of Dec. 1897
C M Bagwell Notary Public

S. W. Folsom

Application of
Mollie J. Davis
of
Poteau, I.T.
24
Her 4 children for
Citizenship in the
Choctaw Nation, I.T.

FILED
AUG 19 1898
W. Wo. Jamison.

Spaulding & Bagnall
Attorneys
Poteau, I.T.

Before the Hon. Commission
to the Five Civilized Tribes.

Mollie J. Davis
vs. Plaintiff.
The Choctaw Nation
Defendant.

-Statement of facts-

The claimant Mollie J. Davis a white woman is 35 years of age and has resided all her life time in the Choctaw Nation, Ind. Ter. her Post office address being Poteau, I.T.

See her affidavit p. 1.

On December 29th 1881 she was married to Davis James a Choctaw Indian.

See pp. 1-2-5-6-7-10.

On Sept. 8th 1889 Davis James died.

See pp 2. 7.

Claimant has four children. the issue of a subsiquent marriage with William M. Davis whose names and ages are:

Elmer Davis and Elvin Davis twins aged 6 years
Harmon H. Davis aged 4 years
Cleveland Davis aged 2 years.

Argument.

The facts in this case show that the claimant a white woman was

married to a Choctaw citizen, thereby becoming a member of the Choctaw tribe of Indians and entitled to the same rights as a citizen by blood. there being no provision in the Choctaw laws requiring a license to be issued for the marriage of a Choctaw Man to a white woman, All that is required is that the marriage be Solemnized by a Minister of the Gospel or Officer, and while the Certificate of marriage in this case does not show the party performing the marriage ceremony to be a Minister other affidavits herewith do show him to have been such.

The first marriage to an Indian being established and there being no question about residence the only question, and the one on which the Choctaw Enrolling Commissioners refused her claim is, did she forfeit her rights to Citizenship in the Choctaw nation by afterwards marrying a white man; and as this question was decided in the negative by His Honor Judge Clayton in an examination record of the

law governing Intermarriage in the case of V. R. Robinson against the Choctaw Nation we think there is but one conclusion to be reached in this case and that is that the claimant herein Mollie J. Davis and her four children are entitled to be enrolled as citizens of the Choctaw tribe of Indians in the Indian Territory, and we accordingly ask such order at your hands. Respectfully Submitted.

Spaulding & Bagwell
Attorneys for Claimant.

To the Commission on the part of the United States to the Five Civilized Tribes.
Application of Mollie J. Davis and Elmer Davis Elvin Davis aged 6 years - Harmon F. Davis aged 4 years & Cleveland Davis aged 2 years, her children by her present husband.

Indian Territory
Central District } ss.

Mollie J. Davis being duly sworn in her own behalf, upon oath and says: My age is 35 years, I now reside near Poteau in the Choctaw Nation Indian Territory, which is my present Post office address. I have resided in the Choctaw Nation Indian Territory all my life, I am a white woman by blood. On December 29th A.D. 1881. at Scullyville County, in the Choctaw Nation, Indian Territory I was by Rev. N. B. McNabb a regularly ordained minister

of the Gospel married to Davis James a full blood Choctaw Indian,

That My said husband Davis James died in the Choctaw Nation Indian Territory on the 8th day of September A.D. 1889.

That My said husband Davis James was in his life time regularly enrolled and recognized by the Choctaw Tribe of Indians in the Indian Territory.

That as the lawful issue of such marriage with Davis James I have four children all of whom are regularly enrolled as members of the Choctaw Tribe of Indians in the Choctaw Nation, Ind. Terr.

That Affiant was prior to October A.D 1896 regularly enrolled as an intermarried citizen and member of the Choctaw tribe of Indians in the Indian Territory,

That on October 1896 Affiant made application to the

Choctaw enrolling Commission in Sugar Loaf County, Choctaw Nation, Ind. Ter. to be enrolled which application was by such commission denied for the alleged reason that affiant had since the death of her Indian husband married a white man, the original notice of such refusal to enroll her is hereto attached marked "A" and made a part hereof.

That until the receipt of the aforesaid notice affiant had always enjoyed the full right and privilages of an intermarried citizen of the Choctaw Tribe, in the Ind. Ter.

That affiant as the lawful issue of her marriage with her present husband William M. Davis has four children all residing with her whos names and ages are, Elmer and Elvin Davis "twins" aged 6 years. Harmon F. Davis aged 4 years and Cleveland aged 2 years.

A/

Wherefore Affiant prays that she and her four children hereinbefore named be enrolled as members of the Choctaw Tribe of Indians in the Indian Territory.

Mollie J Davis

Subscribed in my presence and sworn to before me this 9th day of August 1897.

C M Bagwell
Notary Public

Mary J. Davis
Elmer Davis
Elvin Davis
Harmon F. Davis
Cleveland Davis
Vs
Chactaw Nation

Answer of Chactaw Nation

FILED
SEP 27 1907
[illegible] Wm. Jeanway

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS

MARY J. DAVIS, ELMER DAVIS, ELVIN DAVIS,
HARMON F. DAVIS AND CLEVELAND DAVIS, Plaintiffs.

Vs

THE CHOCTAW NATION, Defendant.

1st. This defendant, answering for the bona fide citizens of the Choctaw Nation, says that the object and purpose of petitioners is to have themselves enrolled as Choctaw citizens, that they may thereby acquire a right and interest in the lands of the Choctaw people, and they ought not to have or prosecute their said petition before this Honorable Commission, because the purpose and effect thereof, if their said petition should be granted, will be to deprive the Choctaw people of their lands and property, without the due process of law provided for by the Constitution of the United States, and without a trial by jury, as guaranteed by the Constitution and laws of the United States, and because the Choctaw Nation is the true and only judge of its own citizens.

2nd. Defendant, further answering, says that petitioner Mary J. Davis is not a Choctaw Indian by blood, but is a white person, who claims to have been married to David James, a Choctaw Indian. Defendant says that under the laws of the Choctaw Nation in force at the time of the marriage of Mary J. Davis to David James, all the rights to Choctaw citizenship which were acquired by said Mary J. Davis through her marriage to said David James were forfeited by her subsequent marriage with Wm. M. Davis, a white person and not a citizen of the Choctaw Nation. That the other petitioners, Elmer Davis, Elvin Davis, Harmon F. Davis and Cleveland Davis, are each the issue of the marriage between said Mary J. Davis and Wm. M. Davis, both white persons and neither Choctaw Indians by blood or adoption. That being white persons and not Choctaw citizens, they could not impart citizenship to their children, the petitioners.

Owens & Owens
Attys for Choctaw Nation

Muskogee, Indian Territory, September 18, 1900.

Mollie J. Davis,

Poteau, Indian Territory.

Dear Madam:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The protest against you is, that you have married out of the Nation.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

T-D-245

7-2757.

Muskogee, Indian Territory, February 5, 1903.

Warner & Buckley,

Attorneys at Law,

Poteau, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 24th ultimo, enclosing marriage license and certificate of Arthur Doshier and Etha James, a citizen by blood of the Choctaw Nation; and the same are returned to you herewith, certified copies thereof having been prepared and filed with the records of the Commission in the matter of the application for enrollment of Etha M. James as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Enc B I 21-27.

7-2-215.

Muskogee, Indian Territory, August 15, 1904.

Mollie J. Davis,

Potean, Indian Territory,

Dear Madam:

You are hereby notified that before further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission to testify as to your intermarried status on September 25, 1902.

For this purpose you are requested to appear at Muskogee, Indian Territory, as soon as possible, or at the Land Office at Atoka, Indian Territory, on September the 6th or 7th, 1904, or at the Land Office, at Tishomingo, Indian Territory, on September the 8th or 9th, 1904.

Respectfully,

Commissioner in Charge.

Choctaw D 245

Muskogee, Indian Territory, August 19, 1903.

Mrs. Mollie J. Davis,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of August 14, asking the status of your enrollment.

In reply to your letter you are informed that it appears from our records that you have been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation and your final right to such enrollment has not yet been determined.

You are advised that before any further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission at its office at Muskogee, Indian Territory, for the purpose of testifying relative to your status as an intermarried citizen on September 25, 1902, the date of the final ratification of the act of Congress of July 1, 1902. It is suggested that you make such personal appearance at the earliest practicable date.

Respectfully,

Commissioner in Charge.

7-2757

Muskogee, Indian Territory, January 23, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the following notation has this day been made upon original Choctaw enrollment card No. 2757:

"No. 2 is husband of Henrietta James on Choctaw card D. No. 942"

You are therefore, requested to make like notation upon the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-2757

Muskogee, Indian Territory, January 25, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the notation transmitted to your office under date of January 23, 1904, relative to No. 2 on original Choctaw enrollment card No. 2757, which reads as follows:

"No. 2 is husband of Henrietta James on Choctaw card D. 978"

is in error and has been erased from said card. You are therefore, requested to erase the same from the duplicate card in your possession.

Respectfully,

Commissioner in Charge.

7-D-245

Muskogee, Indian Territory, December 12, 1904.

Day & Buckley,

Attorneys at Law.

Poteau, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of December 7, 1904, in which you state that Mary J. Davis desires to know as nearly as possible the exact status of her enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that the Commission is now considering the application of Mollie J. Davis for enrollment as an intermarried citizen of the Choctaw Nation and as soon as a decision is reached in this case she will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw 2757.

Muskogee, Indian Territory, April 8, 1905.

A. G. Doshier,

Shadypoint, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Etha M. Doshier (James)and J. J. Hardy to the birth of Pauline Doshier, daughter of A. G. and Etha M. Doshier, September 19, 1903, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Commissioner in Charge.

MEMORANDUM.

Choctaw Case No. N. 245

Date Sept. 10, 1904.

Name Mollie (Mary) J. Davis

Age 44

Post-Office Poteau, I. T.

~~Children~~

Testimony of applicant.

Stenographer

Mary Rodgers.

REGISTRY RECEIPT.

Post Office at Catoosa I.T.

Registered Letter / ~~Parcel~~ No. [illegible] Rec'd [illegible] 189[illegible]

of [illegible] Bigwell

Catoosa I.T.

addressed to [illegible]

[illegible]

P. M.

Contained Copies of
Mallie J Davies et al papers
in Citizenship Claim

United States of America.

Spaulding & Bagwell

Portrait

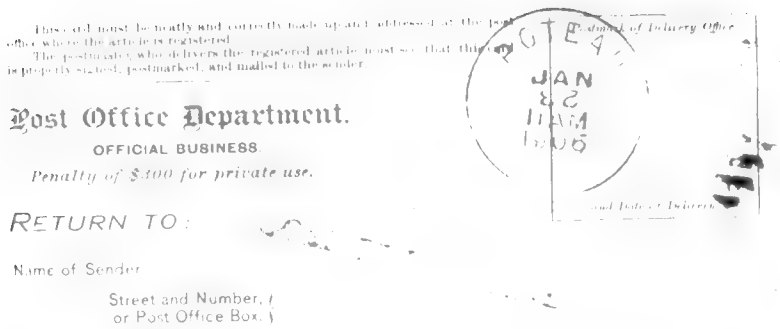
L. T.

~~Tushkahoma~~ Sanboise, I.T. Aug — 1897

I hereby acknowledge receipt of a Registered letter from Spaulding & Bagwell containing copies of papers in Citizenship claim of Mollie J Davis for herself and her 4 children as follows, Copy of Statement and argument of Counsel — of Affidavit of Mollie J Davis of notice signed S.W. Folsom & Co. of Marriage Certificate of Affidavit of Mary F. McClure — of Affidavit of Frances Sage — of Affidavit of Walter Beard & Affidavit of S.W. Folsom being 8 papers.

[illegible]

Principal Chief, Choctaw Nation



Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.

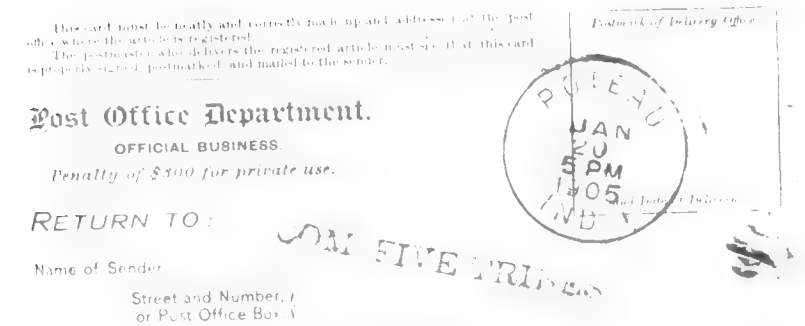
RETURN TO:

Name of Sender

Street and Number, or Post Office Box.

MUSKOGEE,

INDIAN TERRITORY.



Post Office Department.
OFFICIAL BUSINESS.
Penalty of $300 for private use.

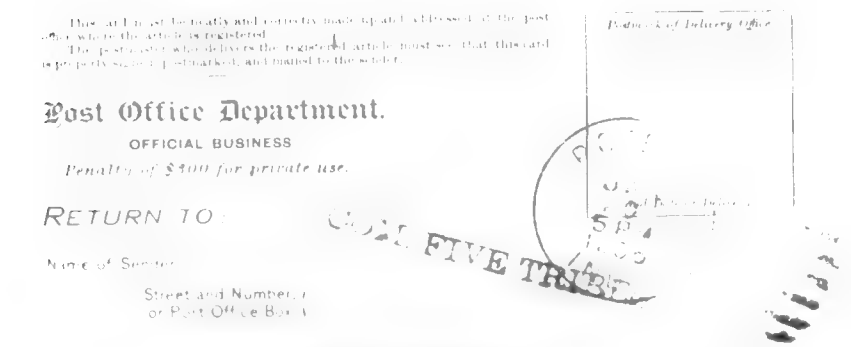
RETURN TO:

Name of Sender

Street and Number, or Post Office Box.

MUSKOGEE,

INDIAN TERRITORY.



Post Office Department.
OFFICIAL BUSINESS
Penalty of $300 for private use.

RETURN TO:

Name of Sender

Street and Number, or Post Office Box.

MUSKOGEE,

INDIAN TERRITORY.

REGISTRY RETURN RECEIPT.

Form No. 1548

Received from the Postmaster at Poteau I.T. (Delivering office.)

Registered {Letter / Parcel} *No.* 10587 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to Mollie J. Davis (Name of addressee.)

Date 1/28, 1905 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mollie J. Davis (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon addressee's written order. When the above receipt has been properly signed it must be postmarked with name of delivering office and actual date of delivery and mailed to its address without other fee or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548

Received from the Postmaster at Poteau I.T. (Delivering office.)

Registered {Letter / Parcel} *No.* 10588 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to Day & Buckley (Name of addressee.)

Date 1-20, 1905 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Day & Buckley (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon addressee's written order. When the above receipt has been properly signed it must be postmarked with name of delivering office and actual date of delivery and mailed to its address without other fee or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548

Received from the Postmaster at Poteau I.T. (Delivering office.)

Registered {Letter / Parcel} *No.* 10595 **From Post Office at MUSKOGEE, IND. TER.,**

Addressed to Spaulding & Bagwell (Name of addressee.)

Date 1/ 1900 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Spaulding & Bagwell by Bagwell (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon addressee's written order. When the above receipt has been properly signed it must be postmarked with name of delivering office and actual date of delivery and mailed to its address without other fee or postage.

2758 Emma R. Derryberry Choc

2758

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of-

GARRISON W. DERRYBERRY, 7-D-246.

D. 246

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Garrison W. Derryberry as intermarried Choctaw;being sworn and examined by Com'r McKennon he testifies:

Name is Garrison W. Derryberry, thirty years old.

Q Is your wife a Choctaw citizen by blood? A Yes sir.

Q You were married to her first on the 4th day of March, 1895? under a license issued at Fort Smith under the laws of the State of Arkansas? A Yes sir.

Q Were you ever divorced from her? A No sir.

Q You have been living with her ever since? A Yessir.

Q Where? A Here most of the time; I lived in Tennessee about a year of the time.

Q You present here a license issued by the Choctaw authorities dated August 11th, 1897; that was a second marriage was it?

A Yes sir.

Q In order to conform to the laws of the Choctaw Nation?

A Yes sir.

Q Since your first marriage where have you been living; you say one year in Tennessee? A We lived here from March until December, in the Choctaw Nation, and moved to Tennessee in December, and lived until the next April a year, and went back in April and have been here continuously ever since .

Department of the Interior,

M D Green

Buck Creek Court House

Skullyville County Choctaw

Nation Ind.Ter.

August 10th 1897.

To whom it may concern That whereas Rev. G.W.Derryberry a citize of the United States has this day petitioned according to law for License to marry a Citizen of the Choctaw Nation,he having complyed with all the requirements of said Law.

I the County Clerk of Skullyville County by the Virtue of the Authority in me vested by the Laws of the Choctaw Nation do hereby grant unto the above mentioned Rev.G.W.Derryberry a License to marry a Citizen of the Choctaw Nation,and any minister of the Gospel or Judge of a Court is hereby Authorized to perform said marriage.

In testamony whereof I hereunto set my hand and Official seal on this the 10th day of August 1897.

E.H Culbertson (Seal)

Co,Clerk Skullyville

County C.N.

I hereby certify that I have this day joined togeather in matrimony G.W.Derryberry and Mrs Emma Derryberry a Citizen of the Choctaw Nation.

I also certify that the Ceremony was according to the laws of the Choctaw Nation.

My credentials are recorded in the Indian Ter. Central Dist.

Book B. page, 89.

Aug. IOth I897. S.L.Pope.

I do hereby certify that the above marriage License and certificate are a true and correct Copy of the original presented to me for record This the IIth day of August A.D. I897.

E.H. Collinson
County Clerk of Skullyville County C.N.

I do hereby certify that the above and foregoing is a true and correct copy of the original as appears of record in the Skullyville County record Book on page 348.

In witness whereof I hereunto set my hand and seal of office this the I4th day of January A.D. I898

E.H. Collinson Seal.
County Clerk, Skullyville County, C.N.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw D-246
Intermarried

---------oOo---------

In the matter of the application of Garrison W. Derryberry for enrollment as an intermarried citizen of the Choctaw Nation.

Garrison W. Derryberry being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Garrison W. Derryberry.
Q How old are you? A Born in '69; thirty-three last June.
Q What is your post office address? A Ward.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A Well, I have been - - I have been living here constantly since the spring of '97.
Q Never made your home anywhere else during that time? A No sir.
Q Where did you live prior to that? A I lived one year after I married at Bokoshe in the Choctaw Nation, and went to Tennessee and stayed there something like sixteen months and came back to the Choctaw Nation and been here ever since.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Derryberry.
Q What was her maiden name? A Emma Russell.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir, not that I know of.
Q When were you married to Emma Russell? A I was married to Emma Russell according to the United States law in '95.
Q Where was this marriage ceremony performed? A Fort Smith.
Q At that time were you living in the Choctaw Nation? A Yes sir.
Q Was she also a resident of the Choctaw Nation? A Yes sir.
Q This first marriage was under the laws of the state of Arkansas?
A Yes sir.
Q Afterwards did you remarry the same woman? A Yes sir.
Q What was the date of your second marriage? A You have the testimony; I think August 10, '97, if I mistake not.
Q Where was this second marriage ceremony performed? A Near Ward.
Q Did you obtain a tribal license the second time? A Yes sir.
Q From whom did you get that license? A Elijah Culberson, county clerk, Skullyville county, Choctaw Nation.
Q How much didyou pay for the license? A $100.
Q Who performed the marriage ceremony? A Mr. Pope, a Methodist minister; I have forgot his name--his first name. The papers that

I had, minister's certificate and all, I sent to Green McCurtain and he wrote me that Robert Murray was one of the committee on Indian registration and he told me that he would see to my case before the Indian committee--registration committee--at the Council. After the Council adjourned he said I was placed on the roll that's just his word for it.

Q Were you ever married prior to your marriage to this woman?
A No sir.
Q Was she ever married before her marriage to you? A She was not.
Q Since your first marriage to her have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A None whatever.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q What was the purpose of your second marriage to her? A Well, one purpose was to comply with the Choctaw law and be a recognized citizen.

- - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles H. Sawyer

Notary Public.

7-D-246
ハ七D

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Garrison W. Derryberry as a citizen by intermarriage of the Choctaw Nation.

-D E C I S I O N-

It appears from the record herein that Garrison W. Derryberry, on August 10, 1897, was married in accordance with the laws, customs and usages of the Choctaw Nation to Emma R. Derryberry (nee Russell), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No.8077 upon the lists prepared by this Commission under the Act of Congress approved july 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Garrison W. Derryberry should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAR 4 1903

Choctaw D-246

Muskogee, Indian Territory, March 4, 1903.

Garrison W. Derryberry,

Ward, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Enc. I.B.S. 4-c

Choctaw D-246

Muskogee, Indian Territory, March 4, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting the application of Garrison W. Derryberry for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Enc. I.B.S. 4-d

Muskogee, Indian Territory, July 10, 1901.

Mr. Garrison Derryberry,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 5th, in which you desire to be informed as to the action of the Commission relative to your rights to enrollment as a citizen of the Choctaw Nation.

You are informe d that the Commission has not up to this time reached any decision or rendered any opinion relative to your rights to enrollment as a citizen by intermarriage of the Choctaw Nation.

In the absence of the operation of any agreement or ruling closing the rolls of the citizens of the Choctaw Nation, it is probable that no action will be taken upon these doubtful claims of persons, applicants for enrollment as citizens of the Choctaw Nation.

When a decision is reached in your case you will be notified of the action of the Commission.

Relative to your recovering from the Choctaw Nation the money expended by you for the procurement of a license to marry a Choctaw woman, you are advised that this is a matter over which this Com-

mission has no jurisdiction and can render no opinion.

Yours truly,

Commissioner in Charge.

7-D 246

MeM

Choctaw D 246

Muskogee, Indian Territory, July 29, 1902.

G. W. Derryberry,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant, in which you desire to be advised if the citizenship case of Garrison W. Derryberry has been decided and if not, has any other case of a similar character been passed upon.

You are advised that it appears from our records that Garrison W . Derryberry, 30 years of age, of Ward, Indian Territory, is an applicant to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation.

The Commission has not up to this time rendered any decision relative to the rights of this applicant to be finally enrolled as a citizen by intermarriage of the Choctaw Nation and it is probable that no final action will be taken until some date is fixed or agreed upon closing the rolls of the citizens of the Choctaw Nation.

We cannot advise you upon general questions of enrollment and especially if any cases similar to yours have been decided by the Commission, the decisions of the Commission being rendered in each individual case upon such testimony as is

submitted in support thereof.

Relative to your inquiry if the 320 acre clause in the recent act of Congress means that the citizens of the Choctaw Nation may select as their preliminary allotments, 320 acres of the public domain, you are advised that the act of Congress, approved May 27, 1902, defining the amount of land each citizen of the Choctaw and Chickasaw Nations is entitled to hold until allotment, is as follows:

"That the just and reasonable share of each member of the Chickasaw and Choctaw nations of Indians, in the lands belonging to the said tribes, which each member is entitled to hold in his possession until allotments are made, as provided in the Act entitled "An Act for the protection of the people of the Indian Territory, and for other purposes", approved June twenty-eighth, eighteen hundred and ninety-eight, be, and the same is hereby, declared to be three hundred and twenty acres for each member of the Chickasaw Nation and three hundred and twenty acres for each member of the Choctaw Nation."

This clause of the act above referred to does not relate in any manner to the final allotments of the citizens of the Choctaw Nation but merely specifies an amount of land, irrespective of value, which each citizen may hold until final allotment and citizens of these two tribes holding as their individual rights, land in excess of 320 acres are subject to prosecution under the seventeenth and eighteenth sections of the act of Congress of June 28, 1898.

Replying to your question relative to the rights of the citizens of the Choctaw Nation to remove from the territorial

G W D 3

limits of the Indian territory for the benefit of health, schools, etc., you are advised that we can render you no further information on this question than to call your attention to the following provision of the act of Congress of June 28, 1898:

"No person shall be enrolled who has not heretofore removed and in good faith settled in the nation in which he claims citizenship."

Yours truly,

Commissioner in Charge.

Choctaw 2681
Choctaw 2535
Choctaw2758
Choctaw 2761

Muskogee, Indian Territory, October 6, 1902.

John D. Benedict,

Superintendent of Schools,

Muskogee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 2, asking relative to the enrollment as Choctaws by blood of the following named children:

Everett Crutchfield,
Ima Crutchfield,
Louvina Crutchfield,
William Crutchfield,
Louticia Crutchfield.
Minnie Wilson,
Walter Wilson.
Russell Simpson,
William Simpson.
Brandon Berryberry,
Frank Wilson,
Clayton Wilson,

In reply to your letter you are informed that it appears from our records that on June 13, 1899, Everet, Ima, Louvinia, William and Louticia Crutchfield, children of Ida Crutchfield and G. W. Crutchfield, were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, rendered August 25,1897, in court case, citizenship docket, Number 132.

It also appear from our records that Edward R. Simpson,

nine years old, and William M. Simpson, seven years old, children of Nettie K. Simpson, a citizen by blood of the Choctaw Nation, and W. M. Simpson, a noncitizen, were, June 15, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified from the 1896 Choctaw Census Roll, being numbers 11,152 and 11,153 thereon.

It further appears that Brandon D. Derryberry, son of Emma R. Derryberry, a citizen by blood of the Choctaw Nation, and Garrison W. Derryberry, a noncitizen, was, June 15, 1899, listed for enrollment as a citizen of the Choctaw Nation, having been identified from the 1896 Census Roll of the Choctaw Nation, being number 3240 thereon.

It also appears that Frank Wilson, twelve years old, Clayton Wilson, ten years old, Minnie Wilson, eight years old and Walter Wilson, seven years old, children of J. D. Wilson and Alice McClary, were, on June 15, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified from the 1896 Choctaw Census Roll, as numbers 12830,12831,12832, and 12833 thereon.

It is believed that these are the children concerning whom your inquiry is made.

Respectfully,

Acting Chairman.

Choctaw D 246

Muskogee, Indian Territory, October 11, 1902.

Garrison W. Derryberry,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 29, 1902, in which you state that you made application in 1898 for enrollment as an intermarried citizen of the Choctaw Nation and desire to make application for final enrollment and request that you be informed as to the necessary procedure.

In reply to your letter you are advised that on September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement closing the rolls of the Choctaw and Chickasaw Nations on that date and the rolls as now being made by this Commission of the citizens of these two tribes will be as of September 25, 1902 and it is necessary that the Commission ascertain the status of all applicants for enrollment as intermarried citizens on the date of the final ratification of such agreement.

It will therefore be necessary that you personally present yourself before the Commission at one of the appointments

C W D 2

specified in the circular enclosed you herewith, in order that your status as an intermarried citizen of the Choctaw Nation on September 25, 1902, may be determined.

Respectfully,

Commissioner in Charge.

Choctaw D 246.

Muskogee, Indian Territory, March 26, 1903.

Garrison W. Derryberry,

Ward, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 18, stating that you have received the notice of the decision of the Commission as to your enrollment, and asking if you may appear at the Land Office on April 15, to file on land for yourself and your family.

In reply to your letter you are advised that it appears from our records that Emma R. Derryberry and Brandon B. Derryberry, wife and child of Garrison Derryberry, have been enrolled by this Commission as citizens by blood of the Choctaw nation and on January 17, 1903, their enrollment was approved by the Secretary of the Interior.

It, further appears that you have been enrolled by this Commission as an intermarried citizen of the Choctaw Nation, but your enrollment has not yet been approved by the Secretary of the Interior, and your attention is invited to the following provision of the Rules and Regulations of the Commission Governing the Selection of Allotments and the Designation of Homesteads inthe Choctaw and Chickasaw Nations:

G W D 2

"Selections of allotments may be made only by citizens and freedmen whose enrollment has been approved by the Secretary of the Interior, and by persons duly identified by the Commission to the Five Civilized Tribes as Mississippi Choctaws, and by none others."

Respectfully,

Chairman.

Choctaw 2758

Muskogee, Indian Territory, April 21, 1903.

Garrison W. Derryberry,

Ward, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 13, asking if your enrollment has been approved by the Secretary of the Interior.

In reply to your letter you are advised that your application for enrollment as an intermarried citizen of the Choctaw Nation was granted by the Commission on March 4, 1903, and no protest to your enrollment as such was filed by the attorneys for the Choctaw and Chickasaw Nations, within the fifteen days allowed for that purpose. Your name, however, has not yet been placed upon a schedule of intermarried citizens of the Choctaw Nation for forwarding to the Secretary of the Interior for approval, but will be placed upon the first schedule of intermarried citizens of the Choctaw Nation so prepared by this Commission.

Respectfully,

Chairman.

7-2758

Muskogee, Indian Territory, July 8, 1903.

Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Dear Sirs:

Receipt is hereby acknowledged of your letter of June 24, asking that Mr. John Taylor, of Spiro, Indian Territory, be advised with reference to the date of the marriage license filed by G. W. Derryberry in support of his application for enrollment as an intermarried citizen of the Choctaw Nation and the name and title of the officer by whom it was issued.

In compliance with your request a letter has this day been addressed to Mr. Taylor giving him the required information.

Respectfully,

Commissioner in Charge.

7-2758.

Muskogee, Indian Territory, July 11, 1903.

Garrison W. Derryberry,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 4, 1903, asking if your enrollment as an intermarried citizen of the Choctaw Nation has been approved by the Secretary of the Interior, and if you can now file for your wife and child.

In reply to your letter you are informed that it appears from our records that you have been enrolled as an intermarried citizen of the Choctaw Nation and that on June 13, 1903, your enrollment was approved by the Secretary of the Interior. You will therefore be permitted to make application for allotments for yourself, your wife and your child, in accordance with the provisions of section 6 of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, a copy of which is herewith enclosed.

Respectfully,

Enc. Rules for allotment.

Commissioner in Charge.

Muscogee, Indian Territory,

August 16th, 1900.

Garrison W. Derryberry,

Ward, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McKennon, Mansfield, McMurray, Morrison, have filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 1900, will hold a session at Atoka, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and this hearing will be final.

Yours truly,

Acting Chairman.

7-D-245.

Muskogee, Indian Territory, September 16, 1900.

Garrison W. Derryberry,

Ward, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 12th instant in the matter of the protest filed to your enrollment by the Choctaw Nation.

You request to be informed what other testimony must be presented by you and if such testimony will have to be oral or whether the Commission will accept certified affidavits and depositions taken in accordance with law and whether you will be allowed to sent written arguments without your personal appearance or to make oral argument in support of your application.

You are informed that the Commission at its session in Atoka, beginning December 3rd next, will only hear oral testimony offered in support of the claim of any applicant or by the Choctaw and Chickasaw Nations and that written affidavits and depositions will not be considered by the Commission in the disposition of these cases. Neither will the Nations or applicants be permitted to make oral arguments, but written argument and brief submitted by the Nations prior to February 1st, 1901 and by the applicant prior to March 1st, 1901, will be accepted by the Commission.

Since notifying you of the protest filed by the Choctaw and Chickasaw Nations as to your enrollment, the Commission has been furnished by the Nations with the grounds upon which your enrollment is protested. The question of your enrollment is as to your

second marriage, you having been married first in accordance with the laws of the state of Arkansas in 1885 and remarried in accordance with the laws of the Choctaw Nation in 1897.

The Commission is in possession of a sufficient statement of the factsupon which a decision may be rendered in your case and it will not be necessary for you to appear before the Commission at its session at Atoka, beginning December 3rd next. The Commission will accept and consider any written argument on questions of law submitted on behalf of the Choctaw and Chickasaw Nations priot to February 1st, 1901 and on your behalf at any time prior to March 1st 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully therein its reasonfor any action that may be taken, will be mailed to you.

The question as to the allotment of land in the Choctaw-Chickasaw country is one that will properly come before a land office when such office is established for the purpose of allotting to the citizens of these two Nations, the lands thereof. Just when such an office will be opened, the Commission cannot at this time determine, The anticipated opening at Atoka September 1st, having been indefinitely postponed.

Yours truly,

Acting Chairman.

In reply please
refer to 7-D-246

Muskogee, Indian Territory, September 18, 1900.

Garrison W. Berryberry,

Ward, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The question raised is to your right to enrollment under your second marriage.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointmet at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

7-D-346

MEMORANDUM. ✓

Choctaw Case No. D 346

Date

Name Harrison W. Derryberry.

Age 33

Post-Office: [illegible]

~~Children~~:

Stenographer [illegible]

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

SOUTH MCALESTER IND
MAR 9
1 PM
1898

1

and date of Delivery

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender, COM. FIVE TRIBES.

Street and Number, or Post Office Box. MUSKOGEE. IND. TER.

Post Office at

County State

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

WARD
JAN
18
1898
IND. T.

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender, COM. FIVE TRIBES.

Street and Number, or Post Office Box MUSKOGEE. IND. TER.

Post Office at

County State

REGISTRY RETURN RECEIPT. Form No. 1546.

2979

Received from the Postmaster at McAlester I.T.
(Delivering office.)

Registered (Letter / Parcel) No. 1809 from Muskogee, Ind. Ter.
(Office of origin.)

Addressed to Mansfield McMurray & Cornish
(Name of addressee.)

Date Mar 9 (Date of delivery.) 190[illegible]

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mansfield McMurray & Cornish
(Signature or name of addressee.)

[illegible] Bell
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT. Form No. 1546.

Received from the Postmaster at Ward I.T.
(Delivering office.)

Registered (Letter / Parcel) No. 2976 from Muskogee, Ind. Ter.
(Office of origin.)

Addressed to Garrison W. Derryberry
(Name of addressee.)

Date (Date of delivery.) 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Garrison W. Derryberry
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2759 Amand I, Brake Cloc

See Pet C-132

Duplicate record in 7-4575

2759

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o-- -

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

Kully Brake, 7-2759.

----o----

CHOCTAW.

INDEXED ✓

20

IN RE.

Application for Enrollment of

INFANT CHILD

Nully Brake

as a citizen of

Choctaw Nation.

Approved FEB 17 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 17 1902

ACTING CHAIRMAN.

CHOCTAW.

2759

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation, of Kully Brake (Here insert name of child), born on the 15th day of Dec., 1901

Name of Father: U Fletcher Brake a citizen of the Chactaw Nation.

Name of Mother: Amanda I Brake a citizen of the Chactaw Nation.

Post-office Pocola I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, Amanda I Brake, on oath state that I am 25 years of age and a citizen, by Blood, of the Chactaw Nation; that I am the lawful wife of U Fletcher Brake, who is a citizen, by Marriage, of the Chactaw Nation; that a Male (male or female) child was born to me on 15th day of December 1901; that said child has been named Kully Brake, and is now living.

Amanda I Brake

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 14th *day of* Feb. 1902

Com. Ex. 2-21-1905 A. P. Walker
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, G. W. Richardson, a Physician, on oath state that I attended on Mrs. Amanda I Brake, wife of U Fletcher Brake on the 15th day of Dec., 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Kully Brake

G. W. Richardson M.D.

WITNESSES TO MARK.

(Must be Two Witnesses)

Subscribed and sworn to before me this 14th *day of* Feb. 1902

A. P. Walker
NOTARY PUBLIC

Com. Ex. 2-21-1905

9(Cd)

7-2759.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Kully Brake as a citizen by blood of the Choctaw Nation.

---o---

The applicant, Kully Brake, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Amanda T. Brake. The right of the applicant's mother, Amanda T. Brake, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, April 18, 1904, in case No. 65, upon the South McAlester docket of said court, it is hereby ordered that the application of Kully Brake for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

COPY. Chootaw 2759

Muskogee, Indian Territory, June 2, 1904.

Amanda Brake,

Pocola, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Chootaw Nation of Kully Brake.

Respectfully,

(SIGNED)
Tams Bixby.

Registered. Chairman.

Incl. 7-2759.

Choctaw 2759

COPY.

Muskogee, Indian Territory, June 2, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Kully Brake.

Respectfully,

(SIGNED)

Tams Dixby.

Chairman.

Registered.

Incl. 7-2759.

COPY W. C. F.

Alice Johnson, as a citizen by intermarriage of the Choctaw Nation; that on January [illegible], 190[illegible], written application was made for the enrollment of Virgle Benton Johnson, minor child of Alvin Johnson and Alice Johnson, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, on June 1[illegible], 18[illegible], by Nancy A. [illegible] Vandergriff, for the enrollment of herself and her minor children, James [illegible] Vandergriff, Willie [illegible] Vandergriff, Emma [illegible] Vandergriff, Annie [illegible] Vandergriff and Dovey [illegible] Vandergriff, as citizens by blood of the Choctaw Nation; that on January 17, 19[illegible], written application was filed for the enrollment of Elizabeth [illegible]griff, minor child of James Vandergriff and Cleo Vandergriff, as a citizen by blood of the Choctaw Nation; that on June 1[illegible], 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by James [illegible] Bragdon, for the enrollment of Sarah [illegible] Bragdon and her minor children, Wesley [illegible] Bragdon, Jodie [illegible] Bragdon, Allamantie Bragdon and Riley Bragdon, as citizens by blood of the Choctaw Nation; that on June 1, 1899, application was made to the Commission to the Five Civilized Tribes at Tallihina, Indian Territory, by James [illegible] Johnson, for the enrollment of Lena A. Williams and Samuel C. Williams as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, August [illegible], 1899, by Silas Johnson, for the enrollment of himself and his minor child, [illegible] Lee Johnson, as citizens by blood of the Choctaw Nation; that on February 11, 190[illegible], written application was filed for the enrollment of Eulalia Johnson, minor child of Silas Johnson and [illegible] Johnson, as a citizen by blood of the Choctaw Nation; that on August [illegible], 1899, application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, by Tortus Parish, for the enrollment of herself and her minor children, Nellie J. Parish and [illegible] Parish, as citizens by blood of the Choctaw Nation; that on August [illegible], 1901, written application was filed for the enrollment of Ethel [illegible] Parish, minor daughter of [illegible] Parish and Tortus Parish, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes during the month of August 1[illegible], by [illegible] Wingfield, for the enrollment of herself and her minor children, Emily [illegible] Wingfield, [illegible] Wingfield and William [illegible] Wingfield, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, October [illegible], 19[illegible], by Minerva A. [illegible]shell, for the enrollment of herself and her minor children, Binne [illegible] Smith, [illegible] Smith, and [illegible] [illegible]shell, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, on August [illegible], 1899, by Atrus Thomas for the enrollment of herself and her minor daughter, Emma [illegible] Thomas; that on January [illegible], 190[illegible], written application was filed for the enrollment of Edna [illegible] Thomas, minor daughter of Atrus Thomas and [illegible] Thomas as a citizen by blood of the Choctaw Nation;

t of applicatio[illegible] made t[illegible] on [illegible]r to the Five Civilized Tribes at Vinita, I[illegible] Territory, on June 7, 1[illegible], by Harvey A. Liebl, for the enrollment of Sarah Liberty and her minor children, Ellen A. Liberty, and Burr Liberty as citizens by blood of the Choctaw Nation; that on October [illegible], 1900, written application was filed for by enrollment of Ida Ellis Court, under child of Sarah Liberty, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, on June 11, 1902, by Amanda I. [illegible], for the enrollment of herself and her minor daughter, [illegible], as citizens by blood of the Choctaw Nation.

[illegible] the [illegible] Court [illegible] [illegible] of [illegible] [illegible] [illegible]

[illegible] Stonecipher, [illegible] Stonecipher, [illegible] Stonecipher, Jennie [illegible] Stonecipher, [illegible] Thomas, Ina Lee Thomas, Ida Colin Clark, and Virgie Burton Johnson, for the reason that the citizenship of the [illegible] through them said applicants claimed a right to enrollment [illegible] been adversely determined by the Choctaw-Chickasaw Citizenship Court.

[illegible] 29, 1904, the application for the enrollment of Alice Johnson as a citizen by intermarriage of the Choctaw Nation was dismissed by the Commission to the Five Civilized Tribes for the reason that her husband, through whom the claimed her intermarried right, had been denied by decree of the Choctaw and Chickasaw Citizenship Court.

[illegible] February 1, 1904, in connection with the above mentioned Five Civilized Tribes dismissed [illegible] application for the enrollment of Samuel [illegible] Conley in accordance with the opinion of the attorney [illegible] rendered [illegible], 1904 (I. T. [illegible] 4-1904), and the opinion of the Assistant Attorney General dated July [illegible], 1904 (I.T. [illegible] 4-1904).

[illegible] order of the Commission of March 31, 1904, [illegible] application for the enrollment of Clara Biggerstaff, [illegible] Annie C. Bumgardner was dismissed, and applicants have since filed writs [illegible] September [illegible], 1904.

[illegible] applications were denied by the Commission to the Five Civilized Tribes March [illegible], 1904, there were filed on [illegible], 1904, by [illegible] O. Boland [illegible] Kinney, attorneys at law, South Canadian, Indian Territory, motions for the enrollment of minor children, [illegible] Knight, Willie [illegible] Knight, Allen Knight, [illegible] Knight, Annie Knight, Sallie [illegible] Knight, Alice Knight (nee Bumgardner), Albert Bumgardner, John [illegible], Jacob [illegible] Bumgardner, Minnie Bryant (nee Colvin), Minerva Smith, Benjamin Smith, Tolina Smith, H. Butterbell, Amy Butterbell, [illegible] Bumgardner, Allie [illegible] Bumgardner, Alimenta Bumgardner, Joseph [illegible] Bumgardner, Alex [illegible], Jesse [illegible] Johnson, Elijah Johnson, [illegible] Annie Stonecipher, Dennie Leigh, Willie Johnson, Agnes Thomas, Alvin Johnson, William C. Johnson, Jesse [illegible] Johnson, Jane Johnson, [illegible] Wheeler or Laura [illegible] McKinley, Daniel [illegible] McKinley, [illegible] McKinley, Ethel Lee McKinley, Samuel [illegible] Williams, [illegible] Thomas, Morris Johnson, Homer Johnson, Emmett Johnson, Alice Johnson, [illegible] Johnson, Samuel Harvell, Mary [illegible] Carroll, Ann [illegible] Knight, Luther Knight, Jenn Wright, Tom Jeff Knight, Ida [illegible] Albert [illegible], Mary Collett, James [illegible] Stonecipher, Annie Stonecipher, Cecil Stonecipher, [illegible] Stonecipher, Ella Stonecipher, Ellis [illegible] Nugent (nee Leigh), [illegible] Winfield or Ada Winfield, Billy [illegible] Winfield, Samuel Winfield, Mrs. Mavis [illegible], [illegible] Thomas, Luther Knight, Jenn Knight, Tom Jeff Knight, [illegible] Knight, Annie Knight, Sarah Brandon, Allen Bumgardner, Albert [illegible] Bumgardner, Joseph [illegible] Bumgardner, Minnie Johnson, Homer Johnson, Sam Winfield, [illegible] Winfield, [illegible] Winfield, Alimenta [illegible], [illegible] Wheeler, Willie [illegible] Bumgardner, Annie [illegible] Bumgardner, Jesse [illegible] Johnson, [illegible] Ann Stonecipher, James [illegible] Stonecipher, Lucie Stonecipher, Alex Stonecipher, Agnes Stonecipher, [illegible] Winfield,

Samuel Windfield, Martus Parish, Mollie T. Baggett (nee Parish), Silas Johnson, Alvin Johnson, William C. Johnson, [illegible] Johnson, Esco Johnson, Delilah Johnson, Laura [illegible] Vanderslice, Samuel [illegible] Williams, Samuel [illegible] McKinley, Joseph C. McKinley, John Leo McKinley, [illegible] Smith, Benjamin Smith, Tobias Smith, [illegible] Butterfield, Alice Johnson, Virgil Johnson, Sarah McClarty, Amanda I. [illegible], (nee Vandergriff), Atrus Thomas, Alton [illegible] McClarty, Burr McClarty and Emma [illegible] Thomas, are identical with the persons for whose enrollment as citizens of the Choctaw Nation applications were made under the provisions of the Act of Congress approved June [illegible], 1898 ([illegible] Stats., 49[illegible]).

This office has no record of any application ever having been made for the enrollment of the petitioners, Susan [illegible]enight, Jessie [illegible]enight, Willard [illegible]enight, Eva [illegible]enight, Samuel Snyder, Sillar Elizabeth Sorrels, Lucinda Snyder, Wilbert Shandy, John Shandy, Georgia A. Bottoms or Georgia Bottom, James [illegible]om, Minnie Bottom, [illegible] Mcklain or Rebecca Mcklain, Frankie [illegible] (nee [illegible]), Earnest Johnson, Samuel Sorrels, [illegible] C. Sorrels and [illegible] [illegible] at any time prior to December 1, 19[illegible].

Applications were received for the enrollment of the following persons as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved April [illegible], 190[illegible] ([illegible] Stats., 1[illegible]):

June 11, 1[illegible], [illegible] Vandergriff, born September [illegible], 190[illegible], minor child of James [illegible] Vandergriff, and Cleo Vandergriff;

June 1, 190[illegible], [illegible] Vandergriff, born March [illegible], 1904, minor son of [illegible] Vandergriff and [illegible] Vandergriff;

June 1[illegible], 1[illegible], Annie Myrtle [illegible], born September [illegible], 19[illegible], minor daughter of James [illegible] and [illegible] [illegible];

June 11, 1906, Jry Eugene Boggs, Born November [illegible], 190[illegible], Samuel Leslie Boggs and John Lester Boggs, born September [illegible], 1[illegible], minor children of Warren Boggs and Lena [illegible] Boggs.

It is alleged in the petition filed June [illegible], 1906, that the Indian blood and residence, as well as the birth of the petitioners, in the Choctaw Nation entitled them under all the laws and treaties, usages and customs and decisions of the Attorney General to be enrolled as members of the Choctaw tribe of Indians; that the Commission to the Five Civilized Tribes, the United States Court and the Choctaw-Chickasaw Citizenship Court had no jurisdiction over said petitioners.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities of said nation. The names of none of said petitioners appear upon any of the tribal roll of the Choctaw Nation in the possession of this office.

I am, therefore, of the opinion that the petitioners have never occupied such a status as would entitled them to enrollment as citizens of the Choctaw Nation; that the action of the Choctaw-Chickasaw Citizenship Court of April 1[illegible], 1[illegible], is final and that the applications for the enrollment of Richard [illegible] Kennight, Esther Kennight, Ann Kennight, [illegible] Kennight, Laura [illegible] Vanderslice, Josephine [illegible] (or Joseph [illegible]) McKinley, John [illegible] McKinley, [illegible]

A. [illegible] Vandergriff, Jennie [illegible] Vandergriff, William [illegible] Vandergriff, [illegible] Vandergriff, Lewis [illegible] Vandergriff, James [illegible] Johnson, Alvin Johnson, William [illegible] Johnson, James [illegible] Johnson, Alice Johnson, [illegible] Johnson, Sarah [illegible] Bragdon, Wesley [illegible] Bragdon, Jodie J. ([illegible] Jones, Jr.), [illegible]ran, Allamintie [illegible]rdon, Alex Bragdon, [illegible] Williams, Samuel [illegible]. Williams, Artus Paris, [illegible] J. Paris, Samantha [illegible]necipher, James [illegible]. [illegible]necipher, [illegible]ussie [illegible]. [illegible]necipher, [illegible]rocket [illegible]necipher, [illegible] Johnson, [illegible] Clark, [illegible]. Clark, Mary Clark, Amanda [illegible]. [illegible] and Artus Thomas [illegible] Citizens by Blood of the Choctaw Nation, on the act upon [illegible] herein [illegible] for and on behalf of said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

It is further the opinion that the application for the enrollment of Delilah John [illegible] as a citizen by intermarriage of the Choctaw Nation, on the petition herein in so far as same applies to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

It is further of the opinion that following the ruling of the Department of April 15, 1903 (I.T.D. 2114-1903), in the case of Laura E. Akin, the application for the admission of Frank C. Knight, Lillian Knight, Ora C. Knight, Ina Snyder and Jessie L. Knight as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved June 10, 1906 (34 Stats., 211), were not continuing applications, and inasmuch as no application was filed for their enrollment as citizens of the Choctaw Nation prior to December 1, 1907, the petition herein in so far as it applies to said petitioners, should be dismissed, and it is so ordered.

It is further of the opinion that the petition herein in so far as same applies to the petitioners, Samuel [illegible], Otis (or Otto) [illegible]necipher, Minnie (or Fannie L.) Johnson, Elmer (or Wilmer) Johnson, Annie [illegible]. Vandergriff, Alice Johnson, Frank (or Tandy Allen) Johnson and Emma [illegible]. Thomas, have applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, should be dismissed, and it is so ordered.

It is further of the opinion that the petition herein in so far as same applies to the petitioners, Minerva Keith, Benjamin [illegible], Julian [illegible], Jane Butterbelly, [illegible] Windfield, [illegible]. Winfield, and Samuel H. Winfield, have applications for enrollment as citizens of the Choctaw Nation have heretofore been refused, should be dismissed, and it is so ordered.

It is further of the opinion that the petition herein, in so far as same applies to the petitioners, Dollar Elizabeth Berrels, John [illegible], Georgia [illegible], Rebecca [illegible], Mrs. Mary E. Reeves, [illegible] Butterbelly, Pamelia Grant (now [illegible]) and Mrs. [illegible]. Vandergriff, for whom enrollment as citizens of the Choctaw Nation were made prior to December 1, 1907, should be dismissed and it is so ordered.

It is further the opinion that the petition herein in so far as same applies to [illegible], Minnie Potter, Wilbur

Shandy, James Bottom, Minnie Bottom, Earnest Johnson, Samuel Sorrels and Manda C. Sorrels, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), that said application should be denied, and it is so ordered.

I am further of the opinion that the applications filed June 1, 1906, June 11, 1906, and June 18, 1906, for the enrollment of Carl R. Vandergriff, Rosena Vandergriff, Ury Eugene Boggs, Samuel Leslie Boggs, John Lester Boggs and Annie Myrtle Manly as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Tams Bixby,
Commissioner.

Muskogee, Indian Territory,
Feb. 18, 1907.

Muskogee, Indian Territory, March 3, 1900.

Amanda J. Brake,

Pocola, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of February 26th in which you desire to know if you can make an application for the enrollment as a Choctaw citizen of your infant child, born February 9th, 1900, and there is enclosed you herewith a blank birth affidavit for the application for the enrollment of an infant child. It will be necessary to have this filled out, and the mother and attending physician, or nurse, must make affidavit as to the fact of the birth of the child. The notary public who takes these acknowledgements must affix his notarial seal to each affidavit, and in case that any signature is by mark, same must be attested to by two disinterested persons as witnesses.

Toyrs truly,

In replying please
refer to Choctaw #2759.

R.C.

Acting Chairman.

7-2759

Muskogee, IndianbTerritory, February 17, 1902.

U. Fletcher Brake,

Pocola, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the Application for enrollment as a citizen of the Choctaw Nation of Kully Brake, the infant son of U. Fletcher and Amanda I. Brake, born December 15, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

IN RE

Application for Enrollment of

INFANT CHILD

of

James Duval Blake

as a citizen of the

Choctaw Nation.

Approved MAY 24 1900 190

Commissioner.

FILED
MAY 24 1900
COMMISSION TO FIVE TRIBES.

Choc.
2759.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a citizen of the Choctaw Nation, of James Duval Brake (Here insert name of child.) born on the 6 day of February, 1900

Name of Father: , a citizen of the Nation.

Name of Mother: W. Fletcher Brake, a citizen of the Choctaw Nation.

Postoffice. Pocola I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Amanda D. Brake, on oath state that I am twenty two years of age and a citizen, by Birth, of the Choctaw Nation; that I am the lawful wife of W. F. Brake, who is a citizen, by Marriage, of the Choctaw Nation; that a male (male or female) child was born to me on the 6 day of February 1900; that said child has been named James Duval Brake, and is now living.

Amanda D Brake

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 6 day of March 1903

D. W. Allen
NOTARY PUBLIC.

Comm. Ex. -1-31-1905-

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Mary Martindale, a Nurse, on oath state that I attended on Mrs. A. D. Brake, wife of W. F. Brake, on the 6 day of February, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named James Duval Brake.

mary. Martindale

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 6 day of March 1900

Comm. Ex. -1-31-1905- D. W. Allen
NOTARY PUBLIC

7-2759 ✓

32

IN RE
THE DEATH OF

James Duval Drake

a citizen of the

Choctaw *Nation.*

Approved DEC [illegible] 190

Commissioner.

DEPARTMENT [illegible] THE [illegible],
COMMISSION TO THE [illegible] CIVILIZED TRIBES.
FILED
DEC 23 1902

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of James Duval Brake
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Poteau
(Here insert name of postoffice.)
, Ind. Ter., and died on the 9th day of
January, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. F. Brake, on oath state that I am 41 years of age and a citizen, ~~by~~ , of the United States ~~Nation~~; that my post office address is Poteau (Here insert name of post office.), Ind. Ter.; that I am the father (State relationship as: the father, an uncle, a cousin, etc.) of James Duval Brake (Here insert name of deceased.), who was a citizen, by blood, of the Choctaw Nation; and that said James Duval Brake (Here insert name of deceased.) died on the 9 day of January, 1901. W. F. Brake

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th day of December 1901.

P. C. Bolger
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

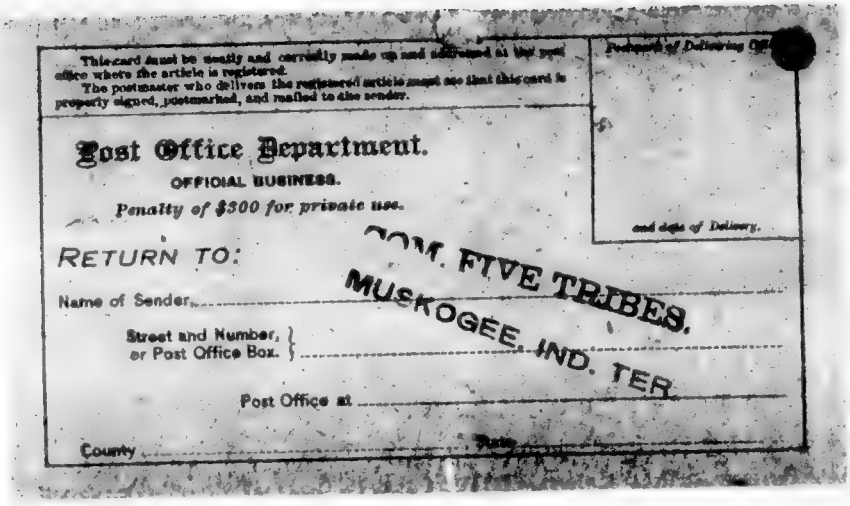
I, J. M. Brogdon, on oath state that I am 43 years of age, and a citizen, ~~by~~ , of the United States ~~Nation~~; that my post office address is Poteau (Here insert name of post office.), Ind. Ter.; that I was personally acquainted with James Duval Brake (Here insert name of deceased.) who was a citizen, by blood, of the Choctaw Nation; and that said James Duval Brake (Here insert name of deceased.) died on the 9th day of January, 1901. J. M. Brogdon

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 18th day of December 1901.

P. C. Bolger
Notary Public.



This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

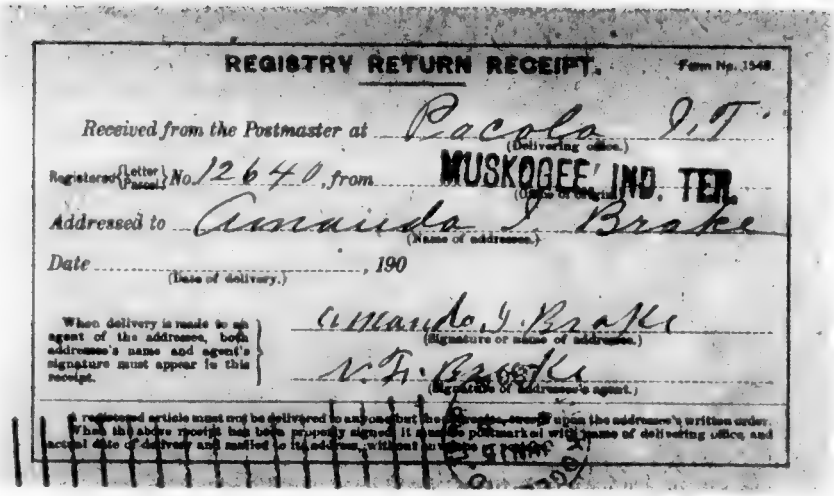
COM. FIVE TRIBES.
MUSKOGEE, IND. TER.

Name of Sender.....

Street and Number, or Post Office Box. }.....

Post Office at .....

County ..... State .....



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Pacola I. T.
(Delivering office.)

Registered {Letter / Parcel} No. 12640, from MUSKOGEE IND. TER.
(Name of office.)

Addressed to Amanda J Brake
(Name of addressee.)

Date ..... (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Amanda J. Brake
(Signature or name of addressee.)

N. F. Brake
(Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When this above receipt has been properly signed, it must be postmarked with name of delivering office, and actual date of delivery and mailed to the address, without unnecessary delay.

2760 Andrew J. moore Choc

2760

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

------:::------

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

WILLIAM T. RABON ---------- D-735.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, June 27, 1902.

In the matter of the application of W. T. Rabon for enrollment as a citizen by intermarriage of the Choctaw Nation.

W. T. Rabon being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A W. T. Rabon.
Q Your full name? A William Thomas Rabon.
Q How old are you? A Twenty years old.
Q What's your post office address? A Bokoshe, Indian Territory
Q What nation is that in? A Choctaw.
Q How long have you lived in the Choctaw Nation? A I've lived there nine years - a little over nine years - ten years this coming fall.
Q Have you lived there continously for the past nine years?
A Yes sir.
Q Have you made your residence outside of the Choctaw Nation in the past five years? A No more than going to school.
Q Where did you go to school? A Two years at Arkadelphia, Arkansas; went last year to Fort Smith.
Q Your father and mother lived in the Indian Territory all that time A Yes sir.
Q What's your father's name? A Richard A. Rabon.
Q Father living? A Yes sir.
Q What's your mother's name? A Lucella.
Q How do you spell that? A L-o-u-ci- l-l-a.
Q Is your mother living? A Yes sir.
Q Parents both white persons? A Yes sir.
Q Citizens of the UnitedStates? A Yes sir.
Q Did either of them ever make any claim to citizenship by blood in any tribe of Indians? A No sir.
Q Are you a white man? A Yes sir.
Q A citizen of the United States? A Yes sir.
Q Have you ever made any claim to citizenship by blood in any tribe of Indians? A No sir.
Q Have you ever drawn any money as a member of any tribe of Indians? A No sir.
Q You are making application to this Commission for enrollment asacitizen by intermarraige of the Choctaw Nation?
A Yes sir.
Q What is the name of the Choctaw woman you married? A Ora Moore.
Q How old is she? A Nineteen.
Q What is her father's name? A Andrew Jackson Moore.
Q What is her mother's name? A Ada.

The name of the applicant's wife appears upon the records of the Commission on Choctaw roll card field number 2760 as a citizen by blood of the Choctaw Nation being identified from the 1896 census roll of the Choctaw Nation as a resident of Sansbois County.

Q When was you married to Ora Moore? A The 25th of this month.

Q Who married you? A Alexander.
Q Whenewere you married? A I was married in Sansbois County about five miles north of Bokoshe.
Q Marriedunder a Choctaw license? A Yes sir.
Q Have you your license and certificate with you? A Yes sir.

There is offered in evidence marked exibit A., filed and made a part of the record in this case the license issuedby Louis LeFlore, County Clerk of Skullyville County Choctaw Nation to William T. Rabon to marry Ora A. Moore a citizen of the Choctaw Nation, the same being dated June 23, 1902, attached thereto being a certificate of C. L. Alexander as to the marriage of William R. Rabon and Ora A. Moore on June 25, 1902.

Q How much did you pay for this license? A One hundred dollars.
Q In cash or scrip? A Eighty some odd in scrip and eleven dollars and something in money.
Q Was you ever married to any other person before you married this woman Ora Moore? A No sir.
Q Was she ever married before she married you? A No sir.
Q At the time you were married on June 25, 1902 there was no legal obstruction to your marriage - did either of your have a living husband or wife from whom you had not been divorced. A No sir.

----0----

Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 27th day of June 1902 and that the above and foregoing is a full true and correct transcript of her stenographic notesof said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this 1st day of July 1902.

D D Lee

Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw D-735
Intermarried

---------oOo--------

In the matter of the application of William Thomas Rabon for enrollment as an intermarried citizen of the Choctaw Nation.

William Thomas Rabon being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A William Thomas Rabon.
Q How old are you? A Twenty-one years old.
Q What is your post office address? A Bokoshe, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A About ten years.
Q Have you lived here continuously for the past ten years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim?
A Ora Almeda Moore.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A Not that I know of.
Q When were you married to this woman? A Married the 25th day of June, 1902.
Q Where was this marriage ceremony performed? A About four miles north of Bokoshe, Indian Territory.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A I got it from the county clerk of Skullyville county.
Q How much did you pay for the license? A One hundred dollars.
Q Who performed the marriage ceremony? A C. L. Alexander.
Q Is he a minister of the gospel? A Yes sir.
Q Were you ever married prior to your marriage to Ora Moore?
A No sir.
Q Was she ever married prior to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles T. Sawyer

Notary Public.

ALFRED F BISSELL
President

M N BISSELL
Vice President

J W UNDERWOOD
Cashier

CHOCTAW COMMERCIAL BANK OF SPIRO

Spiro, Ind. Ter. June 23rd 1902.

The Choctaw Nation.
Skullyville County.

To any minister of the Gospel or other person authorized to solemnize the rights of matrimony within the limits of the County and nation aforesaid.

This certifies that William T. Rabon a non-citizen has made application to the undersigned Clerk of the County Court of Skullyville County Choctaw Nation. in due form as required by law for obtaining marriage license to inter marry with a citizen of the Choctaw Nation. You are therefore authorized to solemnize the rites of matrimony between William T. Rabon non citizen aforesaid and Ora A. Moore Citizen of the same, and return this license to my office with proper endorsement thereon. Given under my hand

Exhibit "A"

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 27 1902

ACTING CHAIRMAN.

ALFRED F. BISSELL, President | M. N. BISSELL, Vice President | J. W. UNDERWOOD, Cashier

CHOCTAW COMMERCIAL BANK OF SPIRO

Spiro, Ind. Ter. 190

and seal of office hereto affixed.
This the 23rd day of June 1902.
Louis Leflore
County Clerk.

Bokoshe I. T. June 25 1902
I C. L. Alexander a minister of the Gospel Did Solemnize the rights of Matrimony Attain the parties herein named in the foregoing license on this the 25th day of June A.D. 1902
My credentials are recorded in Center Dist Book "A" Page 159
C. L. Alexander
M. G.

7 D-735.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---::---

In the matter of the application for the enrollment of William T. Rabon as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the records herein that William T. Rabon, on June 25, 1902, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Ora Rabon (nee Moore), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8021 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizen by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903: that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have continued to live together in said Nation as husband and wife from the date of their said marriage up to and including September 15, 1902.

It is, therefore, the opinion of this Commission that William T. Rabon should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JAN

Copy.

Choctaw D-735.

Muskogee, Indian Territory, January 8, 1904.

William T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 8, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. [illegible]

Commissioner in Charge.

Registered.
Inc: 7-D-735.

Choctaw D-735.

Muskogee, Indian Territory, January 8, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered January 8, 1904, granting the application of William T. Rabon for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said William T. Rabon as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Inc: 7-D-735.

Muskogee, Indian Territory, June 1, 1901.

Albert Rennie,

Attorney at Law,

Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo in which you request that one of the members of the Commission to the Five Civilized Tribes sign and return to you six affidavits relative to the citizenship of Joe Nelson, Ben Loman, Clay Loman, Girtie Moore, Celia Loman and Isaac Gibson as citizens of the Choctaw Nation.

The affidavits enclosed in your letter are returned to you herewith with the information that the Commission cannot issue any affidavits to the enrollment of any persons as citizens of the Choctaw or Chickasaw Nation.

It appears from our records relative to the parties concerning whom you make this inquiry that Clay Loman, 46 years of age, Sillen Loman 43 years of age and their son Wilken Loman 11 years of age and Joe Nelson, the son of Gabriel Nelson and Sillen Loman, were listed for enrollment as citizens by blood of the Choctaw Nation May 11, 1899, having been identified by the Commission from the 1896 census roll of the Choctaw Nation.

It does not appear from our records that any person by the name of Ben Loman has been listed for enrollment as a citizen by blood of the Choctaw Nation but the name of Wilken Loman above referred to appears upon the 1896 census roll of the ChoctawNation

as Ben Loman. The post office address of these persons as given at that time was Hampton, Indian Territory.

As to the Girtie Moore in whose favor you request the affidavit, you are informed that it does not appear that any person by this name has been listed for enrollment by this Commission as a citizen of the Choctaw Nation. A Gertrude Moore, 10 years of age and the daughter of Andrew J. and Laura Moore, of Cartersville, Indian Territory, was on June 15, 1899 listed for enrollment as a citizen by blood of the Choctaw Nation.

As to Isaac Gibson, it appears from our records that the only person by this name who has been listed for enrollment as a citizen of the Choctaw Nation is Isaac Gibson, the son of Willie and Siney Gibson and he was so listed on June 9, 1899. The post office address of the parents of this child was given at that time as Antlers, Indian Territory.

If these are not the persons concerning whom you desire this information it will be necessary that you furnish the Commission with more definite information as to the time and place such application was made, the names of other members of the family making application for enrollment at the same time and any other information that will enable the Commission to identify them as applicants for enrollment as citizensof the Choctaw Nation.

In view of the fact that there has been no completed roll of citizens of the Choctaw nation and that such roll is now only in process of preparation it would be [redacted] for the Commission to

A R 3

issue any certificates or make any affidavit as to the enrollment of any persons as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

Enc 4

7-1503

7-2760

7-1594

Choctaw D 735

Muskogee, Indian Territory, July 8, 1902.

W. T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, requesting that you be furnished with a certified copy of your marriage license.

In accordance with your request there is enclosed you herewith a certified copy of marriage license and certificate between William T. Rabon and Ora A. Moore.

Yours truly,

Acting Chairman.

Enc Y 22

7-D-735

Muskogee, Indian Territory, December 20, 1902.

W. T. Rabon,

Bokoshe, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 9, in which you ask if it is necessary for you to appear before the Commission again for enrollment; that you are an intermarried citizen and was registered at Muskogee on June 27, 1902.

In reply to your letter you are advised that you have been listed among the doubtful claimants to enrollment as citizens of the Choctaw Nation. The Commission is now preparing rolls of the citizens and freedmen of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior and it is necessary to secure the testimony of all intermarried citizens relative to their status as such intermarried citizens on September 25, 1902, the date of the final ratification of the act of Congress approved July 1, 1902. For the purpose of securing this testimony the Commission will be at South McAlester, Indian Territory, from December 20, to December 24, 1902, inclusive.

Respectfully,

Acting Chairman.

Choctaw D 735

Muskogee, Indian Territory, February 16, 1903.

W. T. Rabon,

Bokoshe, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 14, stating that certain land which you have purchased for your allotment is now being claimed by another citizen.

In reply to your letter you are advised that the Commission cannot at this time render any opinion relative to the rights of individuals to particular tracts of the Choctaw-Chickasaw country, nor take cognizance of controversies arising over the right of possession thereto. Matters of this character will receive its consideration upon the establishment of land offices in the Choctaw and Chickasaw Nations, which will probably be the first of April, when the citizens of these two tribes may appear at the land office for the nation in which their land is located and make formal application for their allotments.

Respectfully,

Acting Chairman.

Choctaw 2760
Choctaw D735

Muskogee, Indian Territory, April 16, 1903.

W. T. Rabon,

Bokoshe, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 9, asking if you will be allowed to select allotment for your wife. You also request rules and regulations governing the allotments.

In reply to your letter you are advised that it appears from our records that Ora Rabon, wife of W. T. Rabon, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on January 17, 1903, her enrollment was approved by the Secretary of the Interior. It further appears that you have been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw Nation, and your final right to such enrollment has not yet been determined. As soon as a decision is reached in your case you will be notified of the action of the Commission.

In accordance with your request, there is inclosed you herewith a copy of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, and your attention is particularly invited to rules one and fifteen.

Respectfully,

Rules for allotment.

Choctaw 2760

Muskogee, Indian Territory, April 7, 1904.

W. T. Raben,

Bokoshe, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 4, describing the land you desire to select in allotment, and requesting to be advised if your enrollment has been approved.

In reply to your letter you are advised that on March 26, 1904, the Secretary of the Interior approved your enrollment as an intermarried citizen of the Choctaw Nation.

The matter of the selection of your allotment has been made the subject of another communication.

Respectfully,

Commissioner in Charge.

7-2760

Muskogee, Indian Territory, March 18, 1905.

W. G. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 12, 1905, in which you state that you have enrolled your baby with the Commission appointed by the Council and you ask if this is not legal that there be forearded blank for the enrollment of said child.

In reply to your letter you are informed that it does not appear from our records that application has been made to this Commission for a child born to you since September 25, 1902, and for your convenience there is inclosed herewith blank together with circular giving full information relative to the enrollment of an infant child.

Respectfully,

Chairman.

B. C.
Circular.

7-2760

Muskogee, Indian Territory, March 30, 1905.

William T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Ora Almeda Rabon and F. C. Parrott, M. D., to the birth of Thurman Moore Rabon, son of William Thomas Rabon and Ora Almeda Rabon, June 2, 1903, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Chairman.

7-2760

Muskogee, Indian Territory, January 15, 1906.

W. T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10, 1906, in which you ask if an infant child born November 22, 1905, can be enrolled and if so you request an application blank.

In reply to your letter you are advised that there is no application for the enrollment of children born to citizens by blood of the Choctaw Nation subsequent to March 3, 1905.

The matter of the plats referred to in your letter will be made the subject of another communication.

Respectfully,

Commissioner.

7-2760

Muskogee, Indian Territory, April 27, 1906.

William T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Ora A. Rabon and F. C. Parrott to the birth of Vera Gertrude Rabon, child of William T. and Ora A. Rabon, November 22, 1905, and the same have been filed as an application for the enrollment of said child.

Respectfully,

Commissioner.

7-2760

Muskogee, Indian Territory, May 8, 1906.

W. T. Rabon,

Tokoske, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 3, 1906, in which you state that you forwarded application for the enrollment of your child before the Curtis Bill became a law on an old blank and you ask if that will be sufficient.

In reply to your letter you are advised that the affidavits heretofore received in the matter of the enrollment of your child Vera Gertrude Rabon have been filed as an application for the enrollment of said child, but there is inclosed herewith new blank which you are requested to have executed and returned to this office as early as practicable. In having the same executed you should see that your wife's name appears in the affidavit as the same is given in her allotment certificate.

Respectfully,

B. C.

Acting Commissioner.

7-2760

Muskogee, Indian Territory, May 17, 1906.

William T. Rabon,

Bokoshe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Ora Rabon and F. C. Parrott to the birth of Vera Gertrude Rabon, child of William T. and Ora Rabon, November 22, 1905, and the same have been filed as an application for the enrollment of said child.

Respectfully,

Acting Commissioner.

MEMORANDUM.

Choctaw Case No. N. 795.

Date June 27, 1902

Name William D. Ralon.

Age 20.

Post-Office: Boktuklo, I. T.

FATHER: Richard C. Ralon. ✓

MOTHER: Louila Ralon. ✓

~~Children:~~

Wants as an intermarried citizen by reason of his marriage To Ora Moore on Choctaw Card # 2760

Stenographer

Clara M. C[illegible]

MEMORANDUM.

Choctaw Case No. D-735

Date

Name William T. Rabon.

Age 21.

Post-Office: Bokdoke, I.T.

~~Children~~:

Stenographer A. McMillan.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.

The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO: *Commission to the Five Civilized Tribes*

Name of Sender, ...

Street and Number, or Post Office Box. MUSKOGEE, IND. TER.

Post Office at .....

County ..... State .....

REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Bokoshe I. T.
(Delivering office.)

Registered (Letter/Parcel) No. 10116, from MUSKOGEE IND. TER.
(Name of office of origin.)

Addressed to William T. Rabon
(Name of addressee.)

Date _____ (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

W. T. Rabon
(Signature or name of addressee.)

_____
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2761 Johnnie A. Thornton Choc

1962

IN RE

Application for Enrollment of

INFANT CHILD.

Emma Horton

As a citizen of the

Cherokee Nation.

Approved Dec 22 1899

Commissioner.

Roll 7091

7-2181

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Eureka Thornton, born on the 13 day of February, 1897

Name of father: J. V. Thornton, a citizen of the Choctaw Nation.

Name of mother: John Ann Thornton, a citizen of the Choctaw Nation.

Post Office: Spiro, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
_____ District.

I, John Ann Thornton, on oath, state that I am 38 years of age and a citizen, by Born, of the Choctaw Nation; that I am the lawful wife of J. V. Thornton who is a citizen, by Naturalization, of the Choctaw ~~Nation~~; that a Girl child was born to me on the 13 day of February, 1897; that said child has been named Eureka Thornton, and is now living.

John Ann Thornton

Subscribed and sworn to before me this 14 day of June, 1899.

Frank E. Parker
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, M. A. Spain, a Midwife, on oath, state that I attended on Mrs. _____, wife of J. V. Thornton on the 13 day of February, 1897; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Eureka Thornton.

Witness
John B. Williams

her
M. A. Spain
mark

Subscribed and sworn to before me this 14 day of June, 1899.

Frank E. Parker
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Jessie Wheeler Thornton

As a citizen of the

Cherokee Nation.

Approved June 22 1899

Commissioner.

Roll 1042

7-21.61

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Jessie Wheeler Thornton, born on the 18 day of March, 1899.
Name of father: J. V. Thornton, a citizen of the Choctaw Nation.
Name of mother: John Ann Thornton, a citizen of the Choctaw Nation.
Post Office: Spiro I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, John Ann Thornton, on oath, state that I am 38 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of J. V. Thornton who is a citizen, by Nativity, of the Choctaw Nation; that a Girl child was born to me on the 18 day of March, 1899; that said child has been named Jessie Wheeler Thornton and is now living.

John Ann Thornton

Subscribed and sworn to before me this 14 day of June, 1899.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Choctaw District.

I, A. P. Thompson, a Physician, on oath, state that I attended on Mrs. John Ann Thornton, wife of J. V. Thornton on the 18 day of March, 1899; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Jessie Wheeler Thornton.

A. P. Thompson M.D.

Subscribed and sworn to before me this 14 day of June, 1899.

Notary Public.

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Mabell Thornton

as a citizen of

Choctaw Nation.

Approved NOV 1 1 1901 190..

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 1[illegible] 1901

ACTING CHAIRMAN.

N

2761

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Mabell Thornton (Here insert name of child), born on the 25 day of July, 1901

Name of Father: T. V. Thornton a citizen of the U. S. Nation.

Name of Mother: John Ann Thornton a citizen of the Choctaw Nation.

Post-office Spiro, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, John Ann Thornton, on oath state that I am 41 years of age and a citizen, by birth, of the Choctaw Nation: that I am the lawful wife of T. V. Thornton, who is a citizen, by birth, of the U. S. Nation; that a Female (male or female) child was born to me on 25 day of July 1901; that said child has been named Mabell Thornton, and is now living.

John Ann Thornton

WITNESSES TO MARK:
(Must be Two Witnesses) Dora Daniels
N. H. Parke

Subscribed and sworn to before me this 9 *day of* November 1901.

My commission expires Jan. 31, 1904.

Frank E. Parke
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central District.

I, W. R. Foyil, a physician, on oath state that I attended on Mrs. John Ann Thornton, wife of T. V. Thornton on the 25 day of July 1901; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Mabell Thornton

W. R. Foyil M. D.

WITNESSES TO MARK:
(Must be Two Witnesses) F. E. P.

Subscribed and sworn to before me this day of 190 .

My commission expires Jan. 31, 1904.

Frank E. Parke
NOTARY PUBLIC
Spiro I. T.

Muskogee, Indian Territory, November 14, 1901.

T. V. Thornton,

Spiro, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Mabell Thornton, the infant daughter of T. V. and John Ann Thornton, born July 25, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-3961.

2762 Walker Folsom Choc

2762

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

JANE FOLSOM, 7-2762.

Department of the Interior.
Commission to the Five Civilized Tribes.
Vinita, Indian Territory, December 18th, 1902.

Choctaw 2702.
Intermarried.

In the matter of the application of Jane Folsom for enrollment as an intermarried citizen of the Choctaw Nation.

Jane Folsom, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Jane Folsom.
Q How old are you? A Sixty six.
Q What is your post office address? A Cowlington, Indian Territory
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Twenty two years.
Q Have you lived here continuously for the past twenty two years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Walker Folsom.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Walker Folsom? A Twenty years ago.
Q Where was the marriage ceremony performed? A At Cowlington.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Jones, an ordained minister.
Q Were you married under a license? A No sir, a certificate.
Q Were you ever married previous to your marriage to Walker Folsom?
A Yes sir.
Q How many times before? A Once.
Q What was the name of your former husband ? A David Jerrod.
Q Was he dead at the time of your marriage to Walker Folsom?
A Yes sir.
Q Was Walker Folsom ever married before his marriage to you? A Yes sir.
Q How many times? A Twice.
Q What were the names of his former wives? A The first wife was a white woman and I can't call her name, and the other one was---I can't call her name either.
Q Were both of these women dead at the time you and Mr Folsom were married? A Yes sir.
Q Since your marriage to Walker Folsom have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

--oOo--

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of

said proceedings on said date.

Harry C Rusteen

Subscribed and sworn to before me this 22 day of January /1903.

Charles H, Sawyer

Notary Public.

Sansboys County Choctaw Nation I. T.
To all whom it may concern Know ye
that this is to certify that I. H. W. Jones
a regular ordained and orthorized minister
of the gospel of the Baptist denomination
have this day Solemnized the rites of
Matrimony between Mr Walker
Falson and Mrs Jane Gaised and I
did then and there pronounce them
Husband and Wife
This February 4th A.D. 1883
Elder H. W. Jones
M. G

7-2762.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Jane Folsom as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N----

It appears from the record herein that Jane Folsom (formerly Jerrod), on February 4, 1883, was lawfully married to Walker Folsom, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8094, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Jane Folsom should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAY 6 1903

Choctaw 2762

COPY:

Muskogee, Indian Territory, May 6, 1903.

Jane Folsom,

Cowlington, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Register.

Enc. MSW 1

Choctaw 2762

COPY.

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Jane Folsom for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Register.

Enc. NEW 2.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

****

I, T. B. Needles, a member of the Commission to the Five Civilized Tribes, do hereby certify that the name of Walker Folsom appears upon the final rolls of the citizens by blood of the Choctaw Nation opposite No.8094, and that his enrollment was approved by the Secretary of the Interior on January 17th.,1903.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this, 8th. day of July, 1903, at Muskogee, Indian Territory.

Commissioner.

7 - 2260.
7 - 2762.

Muskogee, Indian Territory, July 8, 1903.

S. C. Treadwell,

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 18th, in which you ask to be furnished a certificate to the effect that the name of Susana Marris appears on the Choctaw rolls. You state that she died in 1851 and her name would be found upon the Choctaw rolls prior to that date. You further request that in the event you cannot be furnished such a certificate, that the Commission forward certificates showing the enrollment of Dude Hicks, Mrs. Sam McCassen and Walker Folsom as citizens of the Choctaw Nation.

In reply to your letter, you are informed that the Commission has no tribal rolls of the Choctaw Nation of date prior to 1885 in its possession and cannot, therefore, give you any information concerning the enrollment of Susana Marris in 1851.

You do not state the christian name of Mrs. Sam McCassen, and it is therefore impossible to furnish you a certificate to her enrollment.

It does not appear from our records that any person by the name of Dude Hicks is an applicant to this Commission for enrollment in the Choctaw Nation, under this name. If this person is an ap-

S. C. T. # 2.

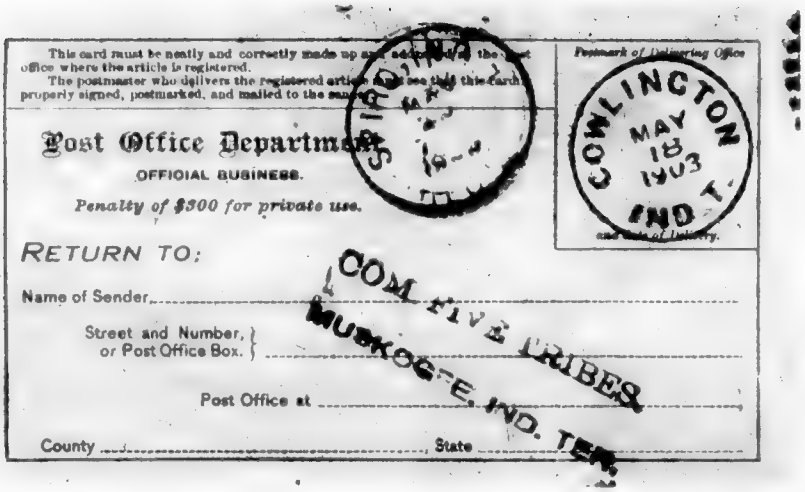
plicant, and if you will state when, where and under what name he made application to the Commission, the names of the other members of his family, and any other information you may possess which will enable the Commission to identify him from its records, the matter of his enrollment will receive further consideration.

There is enclosed you herewith a certificate showing the enrollment of Walker Folsom as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

HDM. I-8



This card must be neatly and correctly made up and addressed by the ... office where the article is registered.

The postmaster who delivers the registered article addressed this card ... properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

COWLINGTON MAY 18 1903 IND T.

Post Office Department

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

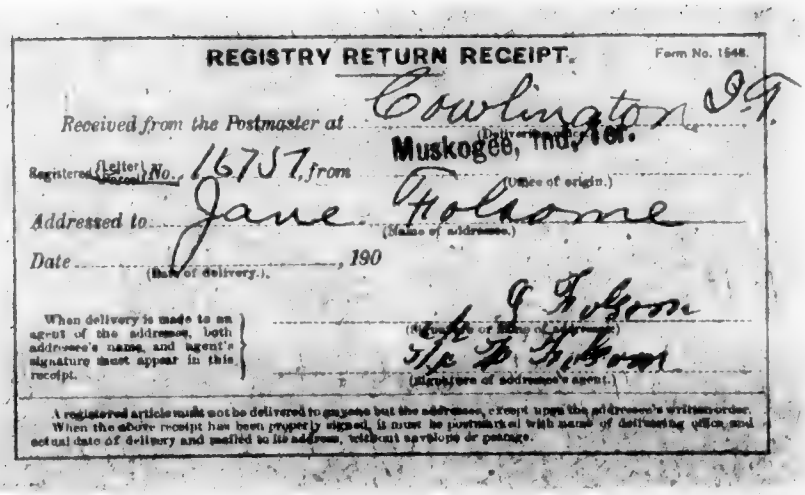
COM FIVE TRIBES MUSKOGEE, IND. TER.

Name of Sender.....

Street and Number, or Post Office Box. .....

Post Office at .....

County ..... State .....



REGISTRY RETURN RECEIPT. Form No. 1548.

Received from the Postmaster at Cowlington I.T.
(Delivering office.)

Registered {Letter / Parcel} *No.* 16757, *from* Muskogee, Ind. Ter.
(Office of origin.)

Addressed to Jane Folsome
(Name of addressee.)

Date ....., *190*
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name, and agent's signature must appear in this receipt.

J. Folsom
(Signature or name of addressee.)

Jane Folsom
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order.
When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2763 Joseph Boatright choc

2763

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of-

LOU E. BOATRIGHT, 7-D-244.

Choctaw D-244.

Muskogee, Indian Territory, February 28, 1902.

Lou F. Boatright,

Cowlington, Indian Territory.

You are hereby notified that your application for enrollment as a citizen of the Choctaw Nation will be taken up by the Commission to the Five Civilized Tribes for final consideration at its office in Muskogee, Indian Territory, on the 7th day of April, 1902.

On said date you may if you desire appear before the Commission in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting said application.

You are further notified that the representatives of the Choctaw Nation will also at the same time be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to doso.

The Commission to the Five Civilized Tribes.

Recorder. Commissioner in Charge.

Department of the Interior.

Commission to the Five Civilized Tribes.

In the matter of the application of Lou E. Boatright for enrollment as an intermarried citizen of the Choctaw Nation. ---D 244---

On the 28th day of February, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were notified by registered mail that the application of Lou E. Boatright for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory on the 7th day of April, 1902, for final consideration.

Now, on this 7th day of April, 1902, this cause coming on to be heard pursuant to said notice, the applicant being called failed to appear either in person or by attorney, and the Choctaw Nation appeared by its attorneys, Mansfield, McMurray & Cornish, and submitted this case upon the record.

---ooo---

Harry C Risteen, being first duly sworn, uponhis oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of April, 1902, and that theabove and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to before me this 10th day of April, 1902.

[illegible]

Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
SOUTH McALESTER, I.T. Dec.24, 1902.

7-D244

In the matter of the application of Lou E. Boatwright for enrollment as an inter married citizen of the Choctaw Nation.

Lou E. Boatwright being sworn testified as follows:

Examination by the Commission:

Q Whatis your name? A Lou E. Boatwright.
Q How old are you? A Twenty seven.
Q What is your post office address? A McCurtain.
Q That is in the Choctaw nation, Indian Territory? A Yes sir.
Q You are white, are you? A Yes sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A Joseph Boatwright.
Q When and where were you married to him? A Greenwood in Arkansas in 1890 October.
Q Mariedunder Arkansas law were you? A Yes sir.
Q Were you married by an official or a minister of the gospel?
A Official.
Q What was his name? A Brown; I canT tell his full name. His initials is on our marriage license.
Q Have you ever filed that? A They have our marriage certificate now
Q What County were you married in in Arkansas? A Sebastian County.
Q Were you ever marriedbefore you married Joseph Boatwright? A No sir.
Q Was he ever marriedbefore he married you? A Not that I know of.
Q How long have you maintained a continuous residence in the Choctaw Nation? A Twelve years.
Q You are living with your husband, Joseph Boatwright as husband and wife at the present time? A Yes sir.
Q You are both bona fide residentsofthe Choctaw Nation, Indian Territory? A Yes sir.
Q Was Joseph Boatwright-- is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case on December 24, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 8 day of January, 1903.

Charles H. Sawyer

Notary Public.

7-D-244
L G I
1904

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lou E. Boatright as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Lou E. Boatright, on October 13, 1890, was married in the State of Arkansas to Joseph Boatright, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No.8095 upon the lists prepared by this Commission under the Act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior January 17, 1903; that in 1890 both persons above mentioned removed to and became residents in good faith of the Choctaw Nation and that they have lived together continuously in said nation as husband and wife from the date of their removal up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Lou E. Boatright should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAR 4 1903

COPY. 7-B-244

Muskogee, Indian Territory, March 4, 1903.

Lou E. Boatright,

McCurtain, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Tams Bixby.

Chairman.

Registered.

Enc. I.B.S. 8-c

COPY. 7-D-244

Muskogee, Indian Territory, March 4, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting the application of Lou E. Boatright, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Tams Bixby.

Registered. Chairman.

Enc. I.S.S. 5-d

IN RE

Application for Enrollment of

INFANT CHILD.

Robert E. W. Boatright

As a citizen of the

Choctaw Nation.

Approved [illegible] 1899

Commissioner.

7-2763

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Cowlington, born on the 1 day of April, 1897.

Name of father: Joseph Boatwright, a citizen of the Choctaw Nation.

Name of mother: Martha Lonemer Boatwright, a citizen of the Choctaw Nation.

by marriage (U. S. Citizen) previously Joe Boatwright Post Office: Cowlington - I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Martha Lonemer Boatwright on oath, state that I am 24 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Joseph Boatwright who is a citizen, by blood, of the Choctaw Nation; that a boy child was born to me on the 1 day of April, 1897; that said child has been named Robert Elmer Willis Boatwright and is now living.

Martha Lonemer Boatwright

Subscribed and sworn to before me this 19 day of June, 1899.

Francis J. Bush
Notary Public.

my term expires Dec 5, 1902

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Marth Isabel Mosby, a Midwife, on oath, state that I attended on Mrs. Marth Lonemer ~~Boatwright~~ wife of Cowlington I. T. on the 1 day of April, 1897; that there was born to her on said date a boy child; that said child is now living and is said to have been named Robert Elmer Willis Boatwright

[illegible]

Subscribed and sworn to before me this 19 day of June, 1899.

Francis J. Bush
Notary Public.

my term expires Dec 5, 1902

CHOCTAW. 20 7-2763 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Martha Louzena Boatwright

as a citizen of

Choctaw Nation.

Approved JUN 20 1901 190

C. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 20 1901

CHOCTAW.

2763

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Martha Longena Boatwright, born on the 4 day of Dec, 1900

Here insert name of child

Name of Father: Joseph Boatwright, a citizen of the Choctaw Nation.

Name of Mother: Low Emma Boatwright; a citizen by marriage of the Choctaw Nation.

Post-office, Bowlington IT

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Low Emma Boatwright, on oath state that I am 26 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Joseph Boatwright, who is a citizen, by Blood, of the Choctaw Nation, that a Female (male or female) child was born to me on the 4 day of Dec 1900 that said child has been named Martha Longena Boatwright, and is now living.

Low Emma Boatwright

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 17 *day of* June 1901.

John W Cheek NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Martha J Mosley, a Midwife, on oath state that I attended on Mrs Low Emma Boatwright, wife of Joseph Boatwright, on the 4 day of Dec, 1900; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Martha Longena Boatwright.

Martha J Mosley

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 17 *day of* June 1901.

John W Cheek NOTARY PUBLIC

7[illegible]

Application
for
[illegible]ollment
[illegible]e E Boatwright
Cowlington
IT

FILED

OCT 16 1897

A. L. Aylesworth

Before the U S Dawes Commission for the five Civilized Tribes of Indians in the Indian Territory

Application
for
Enrollment

The Choctaw Nation Respondent
To The Hon U S Dawes Commission
Sitting at Fort Gibson Ind Ter
Comes Now your petitioner
Lu Emmer Boatwright and
alleges and says that she is an
intermarried white citizen of
the Choctaw Nation and a
resident thereof. That on the
13 day of October 1890 The petit-
ioner was legally and lawfully
Married to Joseph Boatwright
a Choctaw Indian by blood
who is duly Enrolled on the auth-
-enticated roll of the Choctaw
Nation and recognized by
the authorities thereof
That to the said Marriage
there has been Children born
Viz
Ruth Mabell Boatwright age 6 years
Viola May Do " " 4 " "

Eva Jane Boatwright age 2 years
Robert Elmer Willis " " 5 Months
all of the above Children are now
living and all of the above named Children
are enrolled on the authenticated
rolls of the Choctaw Nation and
all Except the two last Named
Eva Jane and Robt Elmer Willis drew
their part of the leased District
money, and I hereunto attach
our Marriage Certificate as
Evidence, and also the affid
avit of W. M. Folsom and
M. J. Folsom in support of
Same wherefore petitioner
Lu Emma Boatwright prays that
her name be placed on the said
rolls of the Choctaw Nation with
all the right and privaleges accorded
other Choctaw Indians
my post office address is Cowlington
Indian Territory

Lu E Boatwright

Subscribed and sworn to before me on
this the 27th day of August 1897

John W Robinson
Notary Public

I W T Tallicoatte do solemnly
swear that on the 27th day of August
1897 I saw a package registered
at the Post office at Cowlington
Ind Ter addressed to Hon
Green McCurtain Chief of the
Choctaw Nation Ind Ter that
registry receipt #28 hereto
attached, is a receipt for
said package which contained
true copies of the application
of Lu Emmon Boatwright and
of the affidavits of W A Folsom
and M J Folsom in support of
same

W T Tallicoatte

Subscribed and sworn to before
me on this 27 day of August 1897

Indian Territory
Central Dist

On this the 27th day of August 1897 personally appeared before me a Notary Public within and for Indian Territory. W. W. Folsom and M. J. Folsom who after being duly sworn according to law deposes and says

we are 58 and 60 years of age and resident members of the Choctaw Nation our post-office address is Cowlington Ind Ter

we are personally acquainted with Lu Emmer Boatwright nee Masby and that she is the wife of Joseph Boatwright who is a recognized Choctaw Indian by blood

W. W. Folsom
M. J. Fulsom

Subscribed and sworn to before me on this the 27 day of August 1897

John W Robinson
Notary Public

MARRIAGE LICENSE.

STATE OF ARKANSAS. THE GREEN WOOD DISTRICT. COUNTY OF SEBASTIAN.

To any Person Authorized by Law to Solemnize Marriage—Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Bans of Matrimony between

Mr. Joseph Bartwright of the County of Sebastian

and State of Arkansas aged 23 years, and

Miss Lu Emma Mosely of the County of Sebastian

and State of Arkansas aged 16 years, according

to law. And do you officially sign and return this license to the parties herein named.

Witness my hand and official seal, this 13 day of October 1890

Jesse A Bell
CLERK OF THE COUNTY COURT.

By [illegible] D. C.

CERTIFICATE OF MARRIAGE.

STATE OF ARKANSAS,
County of Sebastian

I P. L. Brown do hereby

certify that on the 13 day of October A. D., 1890 I did

duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Bans of Matrimony between the parties therein named. P L Brown

My credentials are recorded in _____ County, Ark. Mayor bus suffice J.P.

CERTIFICATE OF RECORD.

STATE OF ARKANSAS,
COUNTY OF SEBASTIAN,
GREENWOOD DISTRICT.

Jesse A Bell

County Court of said County, certify that the above License for, and Certificate of Marriage of Joseph Bartwright and Lu Emma Mosely

were, on the 13 day of Oct 1890 [illegible] in my office, and the same [illegible]

now duly recorded on page 6 of book 13 of Marriage Records.

Witness my hand and the seal of said court this 8 day of Nov 1890

Jesse A Bell
CLERK OF THE COUNTY COURT.

By _____ D. C.

7-2763

C O P Y.

Before the U.S. Dawes Commission for the Five Civilized Tribes of Indians in the Indian Territory.

APPLICATION FOR ENROLLMENT.

The Choctaw Nation, Respondent.

To the Hon. U.S. Dawes Commission Sitting at Fort Gibson, Ind. Ter.

Comes now your petitioner Lu Emmer Boatwright and alleges and says that she is an intermarried white citizen of the Choctaw Nation and a resident thereof. That on the 13 day of October, 1890, the petitioner was legally and lawfully married to Joseph Boatwright a Choctaw Indian by blood, who is duly enrolled on the authenticated rolls of the Choctaw Nation and recognized by the authorities thereof.

That to the said marriage there has been children born viz., Ruth Isabell Boatwright, age 6 years; Viola May Boatwright, age 4 years; Eva Jane Boatwright, age 2 years; Robert Elmer Willis Boatwright, age 5 months. All of the above children are now living, and all of the above named children are enrolled on the authenticated rolls of the Choctaw Nation and all except the two last named, Eva Jane and Robt. Elmer Willis drew their part of the leased district money. And I hereunto attach our marriage certificate as evidence, and also the affidavit of W.W. Folsom and M.J. Folsom in support of same. Wherefore petitioner Lu Emmer Boatwright prays that her name be placed on the said rolls of the Choctaw Nation with all the right and privileges accorded other Choctaw Indians.

My post office address is Cowlington, Indian Territory.

(Signed) Lu E. Boatwright.

Subscribed and sworn to before me on this the 27th day of August, 1897.

(SEAL.) (Signed) John W. Robinson, Notary Public.

Endorsed: FILED Oct 16 1897 A.L. Aylesworth, Sec'y.

Muskogee, Indian Territory, June 20, 1901.

Joseph Beatwright,

Cowlington, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Martha Leumena Beatwright, the infant daughter of Joseph and Lou Emma Beatwright, born December 4, 1900 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-2763.

Commissioner in charge.

Choctaw D 244

Muskogee, Indian Territory, March 31, 1902.

Lou E. Boatwright,

Cowlington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 26th instant, in which you desire to be informed if your marriage license is on file.

Replying to your inquiry you are informed that there is on file in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, license issued by Jesse A. Bell, Clerk County Court, Sebastian County, Arkansas, October 13, 1890, to Joseph Boatwright to marry Miss Lu Emma Moseby, attached thereto being the certificate of T. L. Brown, as to the marriage of Joseph Boatwright and Miss Lu Emma Moseby on October 13, 1890, such marriage license and certificate being recorded on page 376 of Book B of Marriage Records of said county.

Yours truly,

Acting Chairman.

7-D-244.

Muskogee, Indian Territory, January 21, 1903.

Lou E. Boatright,

McCurtain, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 31, 1902, in which you state that your marriage license was filed with the records of the Commission.

You are advised that it appears from an examination of the papers in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation, that the marriage license and certificate of Joseph Boatright and Lu Emma Moseley is filed therewith.

Respectfully,

Commissioner in Charge.

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

COURTAIN
1903
1 PM
16
MAR

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender .....

Street and Number, or Post Office Box .....

COM. FIVE TRIBES.

Post Office at .....

MUSKOGEE, IND. TER,

County ..... State

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivery

SOUTH MCALISTER IND T
MAR 1
1 PM
1903

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

Name of Sender .....

Street and Number, or Post Office Box .....

COM. FIVE TRIBES.

Post Office at .....

MUSKOGEE, IND. TER.

County ..... State

This card must be neatly and correctly made up and addressed at the post office where the article is registered.
The postmaster who delivers the registered article must see that this card is properly signed, postmarked, and mailed to the sender.

Postmark of Delivering Office

and date of Delivery.

Post Office Department.

OFFICIAL BUSINESS.

Penalty of $300 for private use.

RETURN TO:

COM. FIVE TRIBES.

Name of Sender .....

Street and Number, or Post Office Box .....

MU SKOGEE, Ind. T.

Post Office at .....

County ..... State .....

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at McCurtain I.T. (Delivering office.)

Registered (Letter) (Parcel) No. 2989, from Muskogee, Ind. Ter. (Office of origin.)

Addressed to Lou E. Boatright. (Name of addressee.)

Date 3/16 (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Lou E. Boatright (Signature or name of addressee.)

Joe Boatright (Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at McAlester I.T. (Delivering office.)

Registered (Letter) (Parcel) No. 1809, from Muskogee, Ind. Ter. (Office of origin.)

Addressed Mansfield, Wm Murray Louisiana (Name of addressee.)

Date Mar 9 (Date of delivery.), 190 3

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Mansfield Wm Murray Louisiana (Signature or name of addressee.)

Jesse Cobell (Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Covington, I.T. (Delivering office.)

Registered (Letter) (Parcel) No. 3014, from Muskogee, Ind. Ter. (Office of origin.)

Addressed to Lou E. Boatright. (Name of addressee.)

Date (Date of delivery.), 190

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Lou E. Boatright (Signature or name of addressee.)

Joe Boatright (Signature of addressee's agent.)

A registered article must not be delivered to any one but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

2764 Campbell Russell doc

2764

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

CAMPBELL RUSSELL, 7-2764.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister Indian Territory, December 19,1902.

Choctaw 2764.
Intermarried.

In the matter of the application of Campbell Russell for enrollment as an intermarried citizen of the Choctaw Nation.

Campbell Russell, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A Campbell Russell.
Q How old are you? A Thirty nine.
Q What is your post office address? A Bennett, Indian Territory, in the Cherokee Nation.
Q Is your home in the Cherokee Nation? A We are living at present in the Cherokee Nation; my family are part Cherokee and part Choctaw
Q How long have you lived in the Cherokee Nation ? A We have lived there several years.
Q How many years? A Six or seven.
Q Where did you live prior to that? A Hoyt. I have property here and am a recognized citizen. I own a home at Hoyt, but don't live there.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw wife through whom you claim these rights? A Mary A. Overstreet.
Q Is she a recognized and enrolled citizen of the Choctaw Nation? A She is.
Q Have her rights as such ever been disputed? A They have not.
Q When were you married to this woman? A Seven years ago the 27th of last November.
Q Where was this marriage ceremony performed? A At her father's house at Cowlington.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law? A We were.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A From the county clerk at Skullyville.
Q How much didyou pay for that license? A One hundred dollars.
Q Who performed the marriage ceremony? A Uncle Johnny Dodson.
Q A minister of the gospel? A Yes sir.
Q Were you ever married previous to your marriage to this woman? A I was.
Q How many times before , A Once.
Q Q What was the name of your former wife? A Martha.
Q Was she a white woman? A She was a Cherokee.
Q Where were you married to her? A In Candian District, Cherokee Nation.
Q How long did you live with her? A Six years.
Q Until her death? A Yes sir.
Q She was dead at the time of your marriage to Mary A? Overstreet? A Yes sir.
Q Was Mary A . Overstreet ever married before her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.

Q There has been no separation of any kind whatsoever? A No sir.
Q You have always been recognized as a citizen of the Choctaw Nation? A Yes sir, I have been recognized in the elections as a voting citizen.
Q Have you ever made application for enrollment as a citizen of the Cherokee Nation? A No sir.
Q You don't claim those rights? A No sir.

-----oOo-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 19th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry Risteen

Subscribed and sworn to before me this 22 day of January 1903.

Charles Hetawyer

Notary Public.

Vex

County of Skullyville.
Choctaw Nation.,

To all whom it may concurn.-,
Know ye:.,

That whereas Campbell Russell a non-citizen has this day petitioned according to the form of the statutes in such cases made and provided, asking that a license be granted to him to marry a Citizen of the Choctaw Nation; And it appearing that from the said petition that the party mentioned there-in has complied with all the requirements of said Law.,

Now there-fore I the undersigned County - Clerk, of Skullyville Co, by virtue of the authority in me vested by the laws of the Choctaw Nation, and in accordance with the above mentioned application. Do this day grant un-to the with-in mentioned Campbell Russell. a license to marry a citizen of the Choctaw Nation.,

In testimony whereof I have hereunto set my hand and seal of office affixed at Oak Ledge, This the 27th day of November. A.D. 1895,

J. D. Ward.
CountyClerk, Skullyville County C.N

This is to certify that I I. W. Dodson a Minister of the Gospel did solmenised the rights of matrimony between Mr Campbell Russell a citizen of the Cherokee Nation , and Mary Overstreet a citi zen of the Choctaw Nation, This the 28th day of November A. D. 1895.,

I. W. Dodson. M. G.,

I here-by certify that the foregoing is a true and correct copy of the Licens and Marriage Certificate as presented for recod .,

This the 4th day of April, 1896.,

J. D. Ward.
County Clerk.,

I do hereby certify that the above is a true and correct copy of the Original, as recorded in the records of Skullyville County, C. N. In book No I, page 568 to 569.,

This the 17th day of March, A.D. 1899.,

Clerk Skullyville C. C.N.

7-2764.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Campbell Russell as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N----

It appears from the record herein that Campbell Russell on November 28, 1895, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Mary A. Russell (nee Overstreet), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8101, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in Indian Territory as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Campbell Russell should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
MAY 6 - 1903

Choctaw-2764

COPY.

Muskogee, Indian Territory, May 6, 1903.

Campbell Russell,

Bennett, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Register.

Enc. NEW 3

Choctaw 2764

COPY.

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Campbell Russell for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Register.

Enc. NEW 4.

IN RE

Application for Enrollment of

INFANT CHILD.

Mary Russell

As a citizen of the

Choctaw Nation.

Approved June 23 1899

Commissioner.

3102

7-1700

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Mary Russell, born on the 5 day of Dec., 1876

Name of father: Campbell Russell a citizen of the Choctaw Nation.

Name of mother: Mary A. Russell, a citizen of the Choctaw Nation.

Post Office: Hoyt, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary A. Russell, on oath, state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Campbell Russell who is a citizen, by Adoption, of the Choctaw Nation; that a Girl child was born to me on the 5 day of Dec., 1876; that said child has been named Mary Russell, and is now living.

Subscribed and sworn to before me this 16 day of June, 1899.

My term expires Apr. Francis A. Buck

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, G. R. Rucker, a M. H., on oath, state that I attended on Mrs. Mary A. Russell, wife of Campbell Russell on the 5 day of Dec., 1876; that there was born to her on said date a girl child; that said child is now living and is said to have been named Mary Russell.

G. R. Rucker, M.D.

Subscribed and sworn to before me this 21st day of June, 1899.

Richard D Martin

Notary Public.

My Commission Expires
Sept 4 1902

IN RE

Application for Enrollment of

INFANT CHILD.

Margaret Russell

As a citizen of the

Choctaw Nation.

Approved [illegible] 1[illegible]

[illegible] Commissioner.

[illegible]

7-27[illegible]

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Margaret Russell, born on the 19 day of April, 1898.

Name of father: Campbell Russell, a citizen of the Choctaw Nation.

Name of mother: Mary A. Russell, a citizen of the Choctaw Nation.

Post Office: Hoyt, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary A. Russell, on oath, state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Campbell Russell who is a citizen, by Adoption, of the Choctaw Nation; that a Girl child was born to me on the 19 day of April, 1898; that said child has been named Margaret Russell and is now living.

Mary A. Russell

Subscribed and sworn to before me this 16 day of June, 1899.

Francis Strick,
Notary Public.

My term expires Apr 1 1902

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, G. R. Rucker, a M. H., on oath, state that I attended on Mrs. Mary A. Russell, wife of Campbell Russell on the 19 day of April, 1898; that there was born to her on said date a girl child; that said child is now living and is said to have been named Margaret Russell.

G R Rucker M.D.

Subscribed and sworn to before me this 21st day of June, 1899.

Richard D Martin
Notary Public.

My Commission
Expires Sept 9, 1902

(COPY) GR

DEPARTMENT OF THE INTERIOR, LLB
WASHINGTON.

I.T.D. 15698-1906. August 20, 1906.

L R S

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

July 12, 1906, you transmitted the record in the matter of the true date of death of Clarissa James, a citizen by blood of the Choctaw Nation, whose name appears opposite No. 8429 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation approved by the Acting Secretary of the Interior January 17, 1903, and also a report as to the selection of an allotment in her name on September 23, 1904, by L. P. Hudson as administrator of her estate under letters of administration issued by the United States Court for the Southern District of Indian Territory on September 21, 1904, showing the issuance of Chickasaw homestead certificates Nos. 9469 and 9470 and Chickasaw allotment certificates Nos. 12568 and 12569, for the following land:

Homestead:

SW/4 of the NE/4, S/2 of the SE/4 of the NE/4, and N/2 of the N/2 of the Se/4 of Section 27, T. 8 N., R. 2 E.; SE/4 of the SE/4 of the SE/4 of Section 13, T. 2 S., R. 7 E.

Exclusive of homestead:

SW/4 of the SE/4 of the SE/4 of Section 13, T. 2 S., R. 7 E.; N/2 of the NE/4, and N/2 of the SE/4 of the NE/4 of section 27, T. 5 N., R. 2 E.,

which you withheld from delivery to the administrator for the allottee for the reason of certain information furnished your office showing that said Clarissa James, an infant daughter of Harris James, a Choctaw Indian by blood, had died on March 10, 1902, instead of March 10, 1903, as alleged by the administrator in his petition for appointment as administrator of said Clarissa James, deceased, and in the affidavits of Harris James, father of said deceased child, and Louisa Terrell, upon which statements letters of administration were issued.

From the affidavits of Green McCurtain, Principal Chief of the Choctaw Nation, George W. Scott, and E. Johnson, M. D., the attending physician at the death of said Clarissa James, and from the testimony of Harris James, the father of said Clarissa James, deceased, taken January 21, 1906, and Louisa Terrell, a sister of said Clarissa James, it is clearly shown that said Clarissa James, deceased, died on March 10, 1902, and prior to September 25, 1902, and is not entitled to enrollment as a citizen by blood of the Choctaw Nation, and that the allotment selections made in her name were without warrant or authority and

should be canceled.

In view of the record, you are hereby authorized to cancel the name of Clarissa James, opposite No. 8429 upon a schedule constituting a part of the final roll of citizens by blood of the Choctaw Nation approved by the Acting Secretary of the Interior January 17, 1903, and you are also authorized to cancel, set aside, and hold for naught the certificates of allotment selections made in the name of Clarissa James by L. P. Hudson as administrator of her estate at the Chickasaw Land Office on September 23, 1904.

You are advised that the Attorney-General of the United States has this day been requested to prosecute the persons responsible for this alleged fraudulent selection of land in the name of Clarissa James, deceased, unless in his opinion, such prosecution cannot be successfully maintained.

Respectfully,

(Signed). THOS. RYAN,

Acting Secretary.

2765 Addell Harrison Choc

2765

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

ADDELL HARRISON, 7-2765.

Department of the Interior
Commission to the Five Civilized Tribes
South McAlester I T December 22nd 1902

Choctaw 2765
Intermarried

-------oOo-------

In the matter of the application of Addell Harrison for enrollment as an intermarried citizen of the Choctaw Nation.

Addell Harrison being first duly sworn testified as follows

Examination by the Commission.

Q What is your name? A Addell Harrison.
Q How old are you? A Twenty-six.
Q What is your post office address? A Stigler.
Q How long have you resided in the Choctaw Nation? A About fourteen or fifteen years; I couldn't tell you just exactly.
Q Have you lived here continuously for the past fourteen years?
A Yes sir.
Q You are a white woman? A Yes sir.
Q An applicant for enrollment as an intermarried citizen of the Choctaw Nation are you? A Yes sir.
Q What is the name of your Choctaw husband? A Henry Harrison.
Q Is he a recognized citizen by blood of the Choctaw Nation?
A Yes sir.
Q Have his rights in any manner been questioned? A No sir.
Q When was you married to him? A I think it was '95.
Q Were you ever married prior to your marriage to Henry Harrison?
A No sir.
Q Was he married before he married you? A No sir.
Q You say you was married in 1895? A Yes sir.
Q Where at? A Sans Bois.
Q Married under a Choctaw license? A Yes sir.
Q Who married you? A Minister of the gospel; his name was Johhson.
Q How long did you live with Henry Harrison? A Five years I think.
Q Lived with him up to the time of his death? A Yes sir.
Q Was there any separation, desertion or divorce during that time?
A No sir.
Q Have you since the death of your Choctaw husband remarried?
A No sir.
Q You are still his widow? A Yes sir.
Q You are now and have been since that marriage a bona fide resident of the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 22nd day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 24 day of January, 1903.

Chas. W. Dawson

Notary Public.

Recorded in the Records of the District Court of the First Judicial District, Choctaw Nation In the Book of Records on page 13th

This April 9th 1895

Wallace Bond
Circuit Clerk

[illegible] of [illegible] attached this 2nd day of March 1895

J E McBrayer
County Clerk
Sans Bois Co. C.N.

Certificate of Marriage.

Sa. Bois. Co.
Choctaw Nation } I, J. A. Johnson do hereby certify that, on the 31st day of March A.D. 1890, I did duly, and according to law, as commanded in the foregoing license, solemnize the Rite and publish the Bonds of Matrimony between the parties therein named.

Witness my hand, this April, 1st A.D. 1890.

J. A. Johnson M.G.

Witnesses:
Wm Fenton.
Laurah Fenton.
Mrs. S. L. Johnson.

Recorded in the Records of the District Court of the First Judicial District, Choctaw Nation in the Bonds of Records on page 13th
This April 9th 1890
Wallace Bond
Circuit Clerk

The Choctaw Nation }
County of Sans Bois }

To any Person
Legally authorized to Perform the Marriage
Ceremony Greeting

You are hereby authorized to
join in the Holy Bonds of Matrimony
and to celebrate the rites and Ceremonies
of Marriage between Henry C Harrison
a citizen of the Choctaw Nation and Miss
Addell Fenton a citizen of the United States
according to the usages and customs of
the Laws of the Choctaw Nation.

Given under my hand and
Seal of Office attached this 20th day of
March 1895.

J E McBrayer
County Clerk
Sans Bois Co. C. N.

7-2765.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Addell Harrison as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Addell Harrison (nee Fenton) on March 31, 1895, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Henry Harrison, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears upon the 1896 Choctaw Census Roll as H. C. Harrison, number 5160; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they lived together in said Nation as husband and wife from the date of said marriage until the death of the said Henry Harrison, which occurred about 1900, and that since that time up to and including September 25, 1902, the applicant herein has not re-married, and has resided continuously in the Choctaw Nation.

It is, therefore, the opinion of this Commission that Addell Harrison should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

MAY 6 1903

COPY. Choctaw-2765

Muskogee, Indian Territory, May 6, 1903.

Addell Harrison,

Stigler, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Registered.

Enc. I.B.S. 1

Choctaw-2765

COPY.

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Addell Harrison for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.
Chairman.

Registered.
Enc. IBS. 2

IN RE

Application for Enrollment of

INFANT CHILD.

[illegible]

As a citizen of the

[illegible] Nation.

Approved Oct 6 1899

[illegible]

Commissioner.

[illegible] - 04

7-2765

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the ..... Nation,

of ....., born on the ..... day of ....., 1.....

Name of father : ....., a citizen of the ..... Nation.

Name of mother : ....., a citizen of the ..... Nation.

Post Office : .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, ..., on oath, state that I am ..... years of age and a citizen, by ....., of the ..... Nation ; that I am the lawful wife of ..... who is a citizen, by ....., of the ..... Nation ; that a ..... child was born to me on the ..... day of ....., 1..... ; that said child has been named .....,

and is now living.

.....

Subscribed and sworn to before me this ..... day of ....., 1.....

.....
Notary Public.

My com^n expires in April 1900

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, ..., a ....., on oath, state that I attended on Mrs. ....., wife of ..... on the ..... day of ....., 1..... ; that there was born to her on said date a ..... child ; that said child is now living and is said to have been named .....

.....

Subscribed and sworn to before me this ..... day of ....., 1.....

.....
Notary Public.

My com^n expires in April 1900

2766 Joseph J. Shropshire choc

2766

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

JOSEPH J. SHROPSHIRE, 7-2766.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 2766
Intermarried

--------oOo--------

In the matter of the application of Joseph J. Shropshire for enrollment as an intermarried citizen of the Choctaw Nation.

Joseph J. Shropshire being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Joseph J. Shropshire.
Q How old are you? A Forty-six.
Q What is your post office address? A Stigler.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A I don't know; seventeen or eighteen years I guess; I don't know exactly.
Q Have you lived here continuously for the past seventeen years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Susan Lanier.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir, said to be.
Q Have her rights as such ever been disputed? A Never heard of it.
Q When were you married to Susan Lanier? A 1885 I believe.
Q Where was this marriage ceremony performed? A Near Blaine, Indian Territory.
Q What Nation is that in? A Choctaw.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Got a license from the county judge, Choctaw judge.
Q Of what county? A Skullyville.
Q How much did you pay for the license? A $25.
Q Who performed the marriage ceremony? A Preacher by the name of Culberson; he's dead now.
Q Were you ever married previous to your marriage to Susan Lanier?
A No sir.
Q Was she ever married previous to her marriage to you? A Yes sir.

Q How many times? A Twice I think.
Q Do you know the names of her former husbands? A I think I do; let me see - - no, the first one I don't, but the next one was Samuel Cooper.
Q Were both of these men dead at the time of your marriage to her?
A I don't know. One was living. I don't know anything about the first one.
Q Was she separated from him? A I reckon; I don't know much about that.
Q What became of Cooper? Did he die before you married this woman?
A No sir, they were divorced by a decree of the court.
Q What court granted them this divorce? A Choctaw court.
Q What county do you know? A I don't know; district court.
Q Since your marriage to Susan Lanier have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A Oh, a little bit once in a while, but not much; no divorce or nothing like that.
Q Are you at present living together as husband and wife? A Yes sir.
Q How long have you been living that way continuously?
A I don't know, a good many years.
Q What did these separations amount to? A Nothing at all.
Q Just a very short time? A Yes sir.
Q You have always united again and lived as before? A Yes sir.
Q You are at present an actual and bona fide resident of the Choctaw Nation? A Yes sir.

- - - - - - - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles Hetherington

Notary Public.

OFFICE OF
G. A. HOLLEY,
ATTORNEY AT LAW.
COLLECTIONS A SPECIALTY.

Stigler, Ind. Ter., Nov. 4, 1903

Hon Tams Bixby, Chairman, Dawes Com's
Muskogee I.T.

Dear Sir,

Your letter to hand requesting of Joseph C. Shropshire ~~requesting~~ a copy of my Divorce from Auburn Williams, and in answer will say I will give the facts let them be as they may. I married one Auburn Williams some time in February 1863. Only lived with him a few months, and on the 3d day of July 1863, said Williams abandoned me and I have never heard from him until this day. So in the Month of March 1868, at Skullyville in the County of Skullyville, Choctaw Nation I.T., I obtained a divorce from the bonds of matrimony, from Auburn Williams. The Attorney

OFFICE OF
G. A. HOLLEY,
ATTORNEY AT LAW.
COLLECTIONS A SPECIALTY.

Stigler, Ind. Ter., _____ 190__

who represented me in obtaining divorce was Colonel Campbell Leflore. Since obtaining this divorce records have all been burnt and therefore I have no record of this divorce.

Samuell Cooper and I were lawfully married and lawfully divorced as you are in possession of facts and records showing this or at least that we were lawfully ~~married as is a disputed~~ divorced and if ~~he~~ we had not been lawfully married we could not have been lawfully divorced.

So you will see by the accompanying Surtificat, that I and Mr Shropshire were lawfully married according to the Choctaw law for marriage.

The fact that Mr. Shropshire has set on Grand Juries and

INDEXED.

COMMISSION TO THE FIVE TRIBES
No. 30841 1903
Docketed
NOV 6 1903

Shropshire, Mrs. Susan,
Nov. 4, 1903,
Stiller, I.T.

Inc. Marriage cer.
Rel. to her divorce from
Auburn Williams.

ENROLLMENT,

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 9 1903
CHAIRMAN.

1-2706

OFFICE OF
G. A. HOLLEY,
ATTORNEY AT LAW.
COLLECTIONS A SPECIALTY.

Stigler, Ind. Ter., _____ 190__

and voted in all elections both County and for the Choctaw Nation since our marriage. So you can see that he has been for 18 years a recognized intermarried citizen of the Choctaw nation.

Mrs Dudan Shropshire

On this 4 day of Nov 1903 Personally appeared before me a Notary Public for the Central District of the Choctaw Nation.
Susan Shropshire to me well known to be the Person whose name is signed to the foregoing Instrument and acknowledged that she had signed the same of her own free will and accord
Witness my hand and seal
this 4 day of Nov 1903

J. K. Col
Notary Public

Mosholatubbee District,
Choctaw Nation.

In Circuit Court.

Mosholatubbee Court Grounds.

Monday morning January 5th,1885 9 oclock a.m. The circuit court of the 1st,Judicial District of the Choctaw Nation,met persuant to an order of the Circuit Judge. Hon. S.E.Lewis Judge 1st,Judicial District present. The clerk being absent Tecumseh Moore high sheriff of Gaines County also appearing,whereupon solemn proclamation being made this Court is open for the dispatch of business. The following was had to wit-

Thursday morning January,15th 1885.

Cause No.53 Sue E.Cooper
Vs. Divorce
Samuel Cooper.

And now on this day,comes on to be heard the petition of Sue E.Cooper in the above mentioned cause and the Court being well and sufficiently advised doth grant,order and decree,that the petitioner be Divorced from the Bonds of matrimony now and heretofore existing,between petitioner and Defendant Samuel Cooper and that judgement is hereby rendered.

Given under my hand and seal of office this the 15th day of January 1885.

S.E. Lewis
Circuit Judge.

Attest.
W.G. Garland
Circuit Clerk.

I hereby certify that the above and foregoing is a true and correct copy of the original case as found on the Court Records now on file in my office. Given under my hand and seal of office this the 15th day of January, 1903.

T.J. Sexton.
Circuit Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 5 1903

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

1903

CHAIRMAN

The Choctaw Nation
County of Skullyville

The people of the Choctaw Nation to any person legally authorized to solemnized Marriage Greeting You are hereby authorized to join in the holy bonds of Matrimony and to celebrate the rites and ceremonies of marriage between Mr J.J. Shropshire a citizen of United States of America and Mrs Susan Cooper who is of Choctaw birth and family a resident of the aforesaid County according to the laws of the Choctaw Nation and You are required to return this licence to the contracting parties herein named immediately after the celebration of such marriage with a certificate of the same appended then to and signed by You.

And the said J.J. Shropshire is and are hereby required to present the same to the Hon Circuit Clerk of the 1st Judicial District C.N. for record within thirty days from the celebration of marriage

Given under my hand this the 6th day of November A.D. 1885

Nathaniel F. Wells County Judge
Skullyville County C.N.

Certificate of Marriage

I do hereby certify that on the 11th day November 1885 I joined in marriage Mr. J. J. Shropshire and Mrs Susan Cooper agreeable to the authority given in the above licence and laws of the said Nation

Given under my hand this the year and date above written

R. S. Ferguson Minister of the Gospel

I hereby certify that the above is a true and correct copy of the original licence presented to me for record this the 21st day Nov 1885.

W. G. Garland Circuit Clerk 1st Jud Dist C.N.

I do hereby certify that the above is a true and correct copy of the record in in my office. To which I attach my name and seal this the 23rd day of October 1903

A. P. Harrison
Circuit Clerk
1 Dist Choctaw Nation.

T.K.
(d)

7 - 2700.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Joseph J. Shropshire as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Joseph J. Shropshire, on November 11, 1885, was married in accordance with the laws, customs and usages of the Choctaw Nation to Susan Shropshire (formerly Cooper), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 8105 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902, (32 Stat., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Joseph J. Shropshire should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898, (30 Stat., 495) and July 1, 1902, (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
MAR 15 1904

Choctaw 2766

Muskogee, Indian Territory, March 28, 1904.

Joseph J. Shropshire,

Stigler, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(D)

Commissioner in Charge.

Registered.
Enc Choctaw 2766

Choctaw 2766

COPY.

Muskogee, Indian Territory, March 29, 1904.

W. H. Harrison,

Redoak, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on March 15, 1904, rendered its decision granting the application of Joseph J. Shropshire for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling said Joseph J. Shropshire as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior, for his approval.

Respectfully,

(SIGNED)

[illegible]

Registered.

Commissioner in Charge.

Choctaw 2766

[illegible]

Muskogee, Indian Territory, March 29, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 15, 1904, granting the application of Joseph J. Shropshire for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice in which to file protest against the action of the Commission in enrolling said Joseph J. Shropshire as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

[illegible]

[illegible] B [illegible]

Commissioner in Charge.

Registered.
Enc Choctaw 2766

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---------O---------

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

DAVID ROBERTSON ---------- 7-D-714.

Department of the Interior.

Commission to the Five Civilized Tribes.

Muskogee, Indian Territory, May 2, 1902.

In the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of David Robertson.

David Robertson being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A David Robertson.
Q What is your age? A Forty four.
Q What is your post office address? A Stigler.
Q Choctaw Nation? A Yes sir.
Q How long have you resided in the Choctaw Nation? A I been there about fifteen years.
Q What is the name of your father? A George Robertson.
Q Is he living or dead? A He's dead.
Q What is the name of your mother? A Susan Robertson.
Q Is she living or dead? A She's dead.
Q Were they both white people? A Yes sir.
Q Did either of them ever make any claim to citizenship in any nation? A Not that I know of; they've both been dead a long time; mother died when I was little, and my father's been dead about twenty years -- twenty two years.
Q You are a white man? A Yes sir.
Q Have you ever been enrolled as a citizen of the Choctaw Nation? A No sir.
Q Have you ever drawn any money as a citizen of any tribe in Indian Territory? A No sir.
Q Have you ever been admitted to citizenship in any tribe of Indians in Indian Territory? A No sir.
Q You now make application for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife? A Cooper was her name.
Q Her full name? A Irene Cooper.
Q How old is she? A Twenty two the 2nd day of next month.
Q Do you know her father's name? A I don't know it.
Q Is he living or dead? A He's dead.
Q What is the name of her mother? A Susan Shropshire.
Q Has your wife any brothers or sisters living? A Yes; two.
Q What are their names? A Henry Cooper and Jim Cooper.

The records of the Commission examined and the name of Irene Cooper, nineteen years of age, daughter of Sam Cooper and Susan Cooper, (now Shropshire), is found on Choctaw roll card, field number 2866, having been listed for enrollment June 15, 1899, identified from the 1896 census roll as a citizen of the ChoctawNation and a resident of Sans

Bois County.

Q When were you married to Irene Cooper? A The eleventh of March.
Q Where were you married? A At her house close to Stigler.
Q What year? A In this year.
Q Were you married under Choctaw license? A Yes sir.
Q Have you your marriage license and certificate with you?
A Yes sir.

The applicant here offers in evidence, there is filed marked exibit A and made a part of the records in this case marriage license issued by M. W. Battice, County Clerk of Gaines County Choctaw Nation to David Robertson to marry Irene Cooper, the same being dated March 10, 1902.

Q How much did you pay for this license? A Paid a hundred dollars.
Q Were you married to this woman Irene Cooper under this license? A Yes sir.

There is offered in evidence filed and marked exibit B. the original certificate of marriage between David Robertson and Irene Cooper dated March 11, 1902.

Q Were you ever married to this woman under any other license than the license issued by the Choctaw tribal authorities? A No sir.
Q Were you ever married before you married Irene Colbert? A Yes sir.
Q To whom? A Married to a West - white woman.
Q Is she living or dead? A She's been dead eleven years.
Q Was Irene Cooper ever married to any other man before she marriedyou? A No sir.
Q You and this woman are now living together as man and wife? A Yes sir.
Q You are both residents of the Choctaw Nation? A Yes sir.

Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 2nd day of May 1902 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this 2nd day of May 1902.

William J Martin
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 714
Intermarried

---------oOo---------

In the matter of the application of David Robertson for enrollment as an intermarried citizen of the Choctaw Nation.

David Robertson being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A David Robertson.
Q How old are you? A Forty-four.
Q What is your post office address? A Why, Stigler used to be, but McCurtain is now.
Q How long have you been a resident of the Choctaw Nation?
A Been living in it about fifteen years.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Irene Cooper.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to Irene Cooper? A 12th of last March.
Q Where was this marriage ceremony performed? A At Stigler.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law? A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A I got them at Gaines county from Battles I think was the Clerk.
Q How much did you pay for the license? A Paid $100.
Q Who performed the marriage ceremony? A Jim Hill.
Q Minister of the gospel? A Yes sir.
Q Were you ever married previous to your marriage to Irene Cooper?
A Yes sir.
Q How many times before? A Once.
Q What was the name of your former wife? A Mary West.
Q Was she a white woman? A Yes sir.
Q Was she dead at the time of your marriage to Irene Cooper?
A Yes sir, she's been dead eleven years.
Q Was Irene Cooper ever married before her marriage to you?
A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.

David Robertson-----2

Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles H. Sawyer

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 2 1902

[signature]
ACTING CHAIRMAN.

LICENSE OF

David Robertson

I do solemly swear that I will honor, defend, and submit to the constitution and laws of the Choctaw Nation, and will neither claim nor seek from the United States Government or from the Judicial tribunals thereof any protection, privilege or redress incompatible with the same as guaranteed to the Choctaw Nation by the treaty stipulations entered into between them, so help me God.

David X Robertson

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 2 1902

LICENSE OF

David Robertson

I do solomly swear that I will honor, defend, and submit to the constitution and laws of the Choctaw Nation, and will neither claim nor seek from the United States Government or from the Judicial tribunals thereof any protection, privilege or redress incompatible with the same as guaranteed to the Choctaw Nation by the treaty stipulations entered into between them, so help me God.

David x Robertson

Sworn to and subscribed before me on the 10th day of March 1902

W. W. Barnes
Clerk of Gaines County C. N.

Filed in the Clerks Office
10th day of March 1902
PAGE 50

W. W. Barnes
Clerk of Gaines County C. N.

Choctaw Nation,

Indian Territory.

Marriage License.

Know All Men to Whom These Presents Shall Come, GREETING:

KNOW YE THAT I W. W. Baillie County clerk of Gaines County Choctaw Nation, by virtue of authority in me vested by the constitution and laws of said nation do hereby grant unto David Robertson a citizen of the United States a license to marry Irene Cooper a citizen of the Choctaw Nation by blood, into the Holy Bonds of Matrimony, and any Minister of the Gospel or Judge of the Court in the Choctaw Nation is hereby authorized to consumate the same in wedlock.

Given under my hand and seal on this 10th day of March 1902

SEAL

W. W. Baillie

GAZETTE JOB PRINT, WILBURTON, IND. TER.

Ex B

FILED IN THE CLERK'S
OFFICE
April 18 1902
PAGE 35 (Nine record book)
M. W. Battles
Clerk of Gaines County, C. N

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 2 1902

ACTING CHAIRMAN.

FILED IN THE CLERK'S

OFFICE

April 18, 1902

PAGE 35 (new record book)

M. W. Battice

Clerk of Gaines County, C. N

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 2 1902

ACTING CHAIRMAN.

Certificate of Marriage.

This is to Certify that

David Robinson And Miss Irene Cooper

of Stigler of Stigler

have been by me joined together in the

Holy Bonds of Matrimony.

this 11 day of March 1902

John Hill

Witness Mrs Mary Cooper

GAZETTE JOB PRINT, WILBURTON, IND. TER.

7 D-714.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-------O-------

In the matter of the application for the enrollment of David Robertson as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that David Robertson, on March 11, 1902, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Irene Robertson (nee Cooper), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8107 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in Indian Territory as husband and wife from the date of their said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that David Robertson should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
FEB 27 1904

Choctaw 7-714

Muskogee, Indian Territory, February 17, 1904.

David Robertson,

Stigler, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 17, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen by intermarriage of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
No.7-7714.

COPY. Choctaw D-714

Muskogee, Indian Territory, February 27, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 27, 1904, granting the application of David Robertson for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen by intermarriage of the Choctaw Nation. If, at the expiration of that time, no protest has been filed, his name will be placed upon the final rolls of the citizens by intermarriage of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

[redacted]

Commissioner in Charge.

Registered.
Enc.7-D714.

IN RE

Application for Enrollment of

INFANT CHILD

Lottie Marie Montague

as a citizen of the

Choctaw Nation.

Approved, JUN 23 1900 190

Commissioner.

FILED
MAY 22 1900
COMMISSION TO FIVE TRIBES.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Lottie Marie Montague, born on the 26 day of February, 1902
(Here insert name of child)
Name of Father: Joe Montague a citizen of the U. S Nation.
Name of Mother: Irene Cooper, a citizen of the Choctaw Nation.
Postoffice, Stigler I.T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Irene Cooper, on oath state that I am 21
years of age and a citizen, by Blood, of the Choctaw Nation;
that I am ~~the~~ not lawful wife of Joe Montague, who is a citizen, by
~~.....~~, of the U.S Nation; that a female child was
born to me on the 26 day of February, 1902, that said child has been
named Lottie Marie Montague, and is now living.

Irene Cooper,

WITNESSES TO MARK

(Must be Two Witnesses) }
.....

Subscribed and sworn to before me this 16 *day of* May, 1902

J. S. Stigler
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, J. D. Murphey, a Physician on oath state that I
attended on Mrs Irene Cooper, wife of
on the 26 day of February, 1902 that there was born to her on
said date a Girl child; that said child is now living and is said to have been
named Lottie Marie Montague

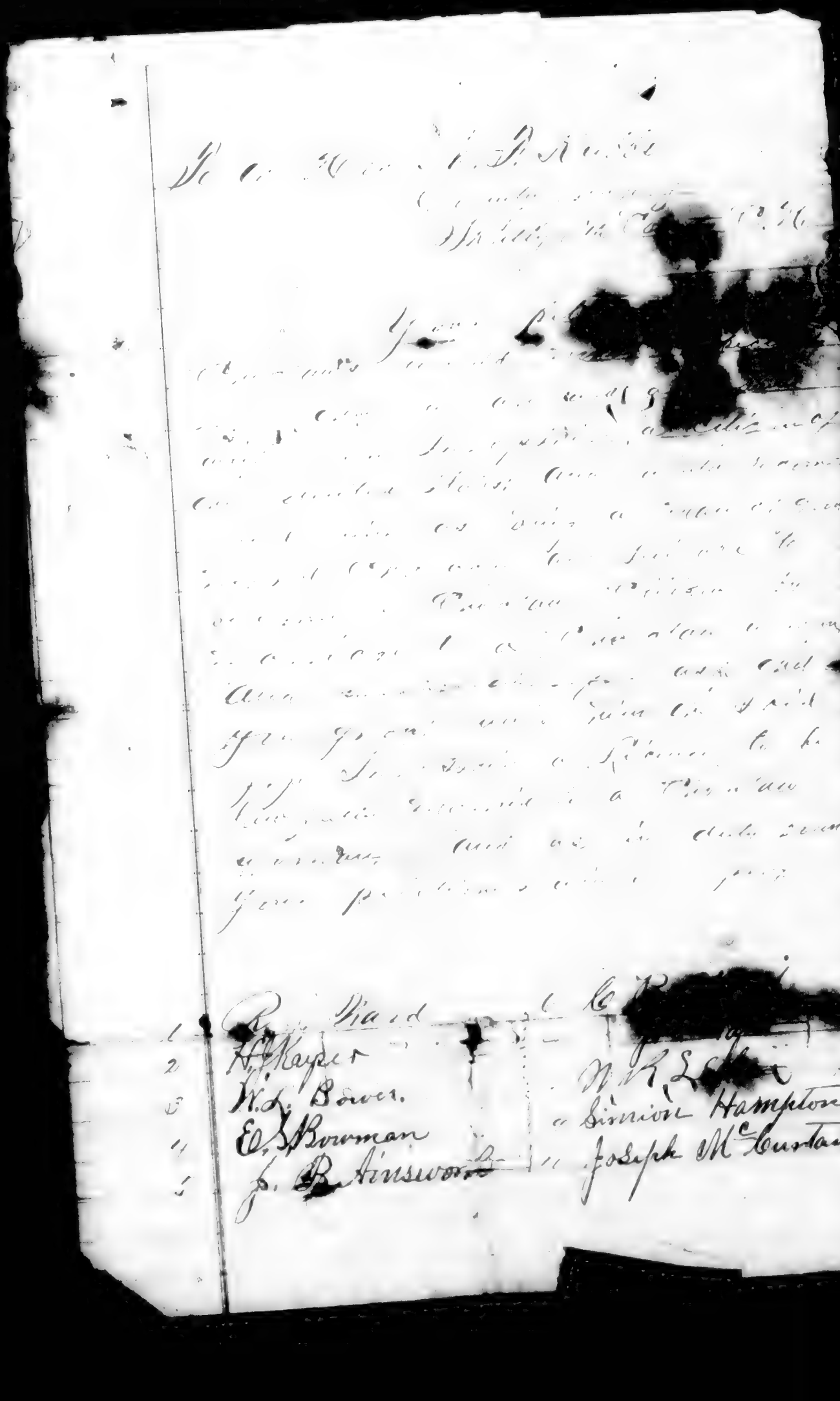
J. D. Murphey M.D.

WITNESSES TO MARK

(Must be Two Witnesses) }
.....

Subscribed and sworn to before me this 16 *day of* May, 1902

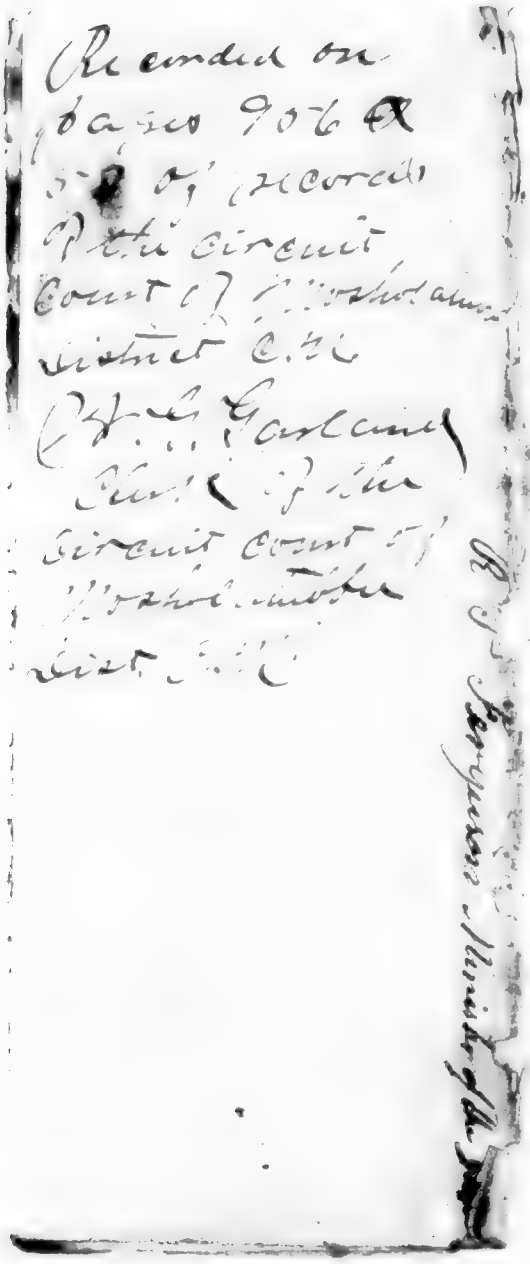
J. S. Stigler



Eleventh November

R. S. Ferguson Minister of the Gos[illegible]

(Recorded on
Pages 906 A
[illegible] of records
of the circuit
Court of Washtenaw
District Co.
[illegible] Garland
Clerk of the
Circuit Court of
Washtenaw
Dist. [illegible])



7-2766.

Muskogee, Indian Territory, February 6, 1903.

Joseph J. Shropshire,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 28, 1903, enclosing a copy of the divorce proceedings between Sue E. Cooper and Samuel Cooper; and the same has been duly filed with the records of the Commission in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-2766

Muskogee, Indian Territory, October 6, 1903.

Jeff D. Ward,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 25, 1903, stating that some time since you requested information relative to the divorce between Susan and Samuel Cooper; also the date of the marriage between Susan Cooper and J. J. Shropshire, and if they were married more than once, the date of each marriage.

You are advised that under date of September 28, 1903, this office addressed a letter to you at Atoka, Indian Territory, advising you that it appeared from our records that a decree of divorce from Samuel Cooper was granted to Sue Cooper by the Circuit court of the Mosholatubbe District, January 15, 1885; that no marriage license and certificate of J. J. Shropshire appears to have been filed with our records in the matter of the application for enrollment of said J. J. Shropshire as an intermarried citizen of the Choctaw Nation; and further that it appears from our records that he was married to Susan Lanier in 1885.

Respectfully,

Chairman.

7-2754

Muskogee, Indian Territory, October 21, 1903.

Jeff D. Ward,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th inst., requesting to be advised if the marriage license and certificate of Susan Lanier and J. J. Shropshire is on file with the application of said Shropshire for enrollment as an intermarried citizen of the Choctaw Nation; and whether or not the application for his enrollment has been passed upon by the Commission.

You are informed that no marriage license and certificate of Susan Lanier and J. J. Shropshire has been filed with the records in the matter of the application for enrollment of J. J. Shropshire as an intermarried citizen of the Choctaw Nation. Such evidence of marriage has been requested of Mr. Shropshire and you are advised that no further consideration can be given his application for enrollment as an intermarried citizen of the Choctaw Nation until the same has been supplied.

Respectfully,

Commissioner in Charge.

7-2766

Muskogee, Indian Territory, September 28, 1903.

Jeff D. Ward,

Atoka, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, requesting to be advised as to the date of the divorce proceedings between Susan and Sam Cooper, also the date of the marriage of Susan Cooper to J. J. Shropshire, as well as the date of their marriage license, if any appears.

You are informed it appears from our records that a decree of divorce from Samuel Cooper was granted to Sue E. Cooper by the Circuit Court of the Mosholatubbe District January 15th, 1885. No marriage license and certificate of J. J. Shropshire and Susan Cooper appears to have been filed with our records in the matter of the application for enrollment of said J. J. Shropshire as an intermarried citizen of the Choctaw Nation. It is stated in his evidence, however, taken by the Commission at Wister, Indian Territory, December 17, 1902, that he was married to Susan Lanier, formerly Susan Cooper, in 1885.

Respectfully,

Chairman.

7-2766.

Muskogee, Indian Territory, October 12,1903.

Joseph J. Shropshire,

Stigler, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony taken before the Commission at Wister, Indian Territory, December 17, 1902, that you claim your intermarried rights in the Choctaw Nation by virtue of your marriage to Susan Shropshire, nee Lanier. You also testified that your wife was married twice before her marriage with you, and that you do not know anything about her first husband.

You are informed that before further consideration can be given your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to furnish the Commission with proof, either that your wife's first husband was dead, or that she had been divorced from him at the time of your marriage to her.

You are also advised that it will be necessary for you to forward to the Commission either the original or a certified copy of your marriage license and certificate of the marriage

between you and your said wife, Susan Shropshire, or, failing that, the sworn statements of not less than two disinterested witnesses, who were actually present at the performance of the marriage ceremony between you and your said wife, Susan Shropshire.

These matters should receive your immediate attention.

Respectfully,

Chairman.

7-2766

Muskogee, Indian Territory, November 9 ,1903.

Susan Shropshire,

Stigler, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit relative to your marriage to and divorce from your former husband, Auburn Williams; also relative to your marriage to and divorce from Samuel Cooper, together with a certified copy of the marriage license and certificate between J. J. Shropshire and Susan Cooper; and the same have been duly filed with the records of the Commission in the matter of the application for enrollment of J. J. Shropshire as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

C. Choctaw 1706

Muskogee, Indian Territory, February 8, 1904.

J. J. Shropshire,

Stigler, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 27, in which you state that you are an intermarried citizen of the Choctaw Nation who has complied with all tribal laws and usages, but your enrollment has not yet been approved and that a full blood Choctaw has filed on your home place, and you ask what course you should pursue.

In reply to your letter you are advised that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached you will be notified of the action taken therein.

You are further informed that if your land has been selected by another citizen of the Choctaw or Chickasaw Nation, you will be permitted to institute contest therefor upon your personal appearance at the land office for the nation in which the land is located.

Respectfully,

Commissioner in Charge.

2767 Green Daniels choc

2767

IN RE

Application for Enrollment of

INFANT CHILD.

Thelma Daniels

As a citizen of the

Choctaw Nation.

Approved MAY 24 1900

Commissioner.

RECEIVED
AUG 27 1900

Ch Tom
2767.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Milton, born on the 31 day of January, 1900.
Name of father: Green W. Daniels, a citizen of the Choctaw Nation.
Name of mother: Minnie A. Daniels, a citizen of the Choctaw Nation.
Post Office: Milton, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Minnie A. Daniels, on oath, state that I am 21 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of G. W. Daniels who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 31st day of January, 1900; that said child has been named Thelma Daniels and is now living.

M. A. Daniels.

Subscribed and sworn to before me this 14 day of April, 1900.

L. L. Levier
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, H. E. Hunt, a Physician, on oath, state that I attended on Mrs. M. A. Daniels, wife of G. W. Daniels on the 31 day of Jan, 1900; that there was born to her on said date a girl child; that said child is now living and is said to have been named Thelma Daniels.

H. E. Hunt. M. D.

Subscribed and sworn to before me this 16 day of April, 1900

L. L. Levier
Notary Public.

Com. Exp. Apr. 1901.

2768 James Burnies Choc

2768

(10)

IN RE

Application for Enrollment of

INFANT CHILD.

Moses Harris

As a citizen of the

Choctaw Nation.

Approved July 27 1899

Commissioner.

Roll No. 8114

I-2768. 2768

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Moses Harris, born on the 14 day of October, 1894

Name of father: Deman Harris, a citizen of the Choctaw Nation.

Name of mother: Rhoda Harris, a citizen of the Choctaw Nation.
Now Rhoda Burtis

Post Office: Poteau Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Rhoda Burtis, on oath, state that I am 28 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of James Burtis who is a citizen, by Blood, of the Choctaw Nation; that a Male child was born to me on the 14th day of October, 1894; that said child has been named Moses Harris and is now living. That I was at that time the wife of Deman Harris

Witness P. H. Green

Rhoda her + Burtis mark

Subscribed and sworn to before me this 6th day of July, 1899.

C. M. Bagwell
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ensie Shayne, a Mid Wife, on oath, state that I attended on Mrs. ~~Jane~~ Rhoda Burtis, wife of James Burtis, on the 14 day of October, 1894, that there was born to her on said date a male child; that said child is now living and is said to have been named Moses Harris. At her time she was the wife of Deman Harris

Witness P. H. Green

Ensie her + Shayne mark

Subscribed and sworn to before me this 6th day of July, 1899

C. M. Bagwell
Notary Public.

7-2768

32

IN RE
THE DEATH OF

Leonard Burdies
a citizen of the
Choctaw Nation.

Approved AUG 11 1906 190

Commissioner.

It appearing from the within affidavits that the applicant, Leonard Burdies, died prior to September 25, 1902, it is hereby ordered that the application for the enrollment of the said Leonard Burdies as a citizen by blood of the Choctaw Nation be dismissed.

Commissioner.

Muskogee, Indian Territory.
AUG 11 1906 1906.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Leonard Burtics
(Here insert name of deceased.)

a citizen of the Choctaw Nation, who formerly resided at or near
Poteau (Here insert name of postoffice.), Ind. Ter., and died ~~on~~ before the 25th day of
Sektember, 1902

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
..... DISTRICT. }

I, Lillen Beard, on oath, state that I am 50
years of age and a citizen, by blood, of the Choctaw Nation;
that my postoffice address is Poteau (Here insert name of postoffice.), Ind. Ter.; that I ~~am~~
was adopanted with Leonard Burtics
(State relationship: as the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation
and that said Leonard Burtics (Here insert name of deceased.) died ~~on~~ several years before the 26th day of
Sept, 1902.

WITNESSES TO MARK:

(Must Be Two Witnesses) }

Lillen Beard

Subscribed and sworn to before me this 28 day of July, 1906.

Lacey P. Bo
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
..... DISTRICT. }

I, W M Hopkins, on oath state that I am 39
years of age, and a citizen by ~~by~~ ..... of the U. S. A. Nation;
that my postoffice address is Poteau (Here insert name of postoffice.), Ind. Ter.;
that I was personally acquainted with Leonard Burtics (Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Leonard Burtics (Here insert name of deceased.) died ~~on~~ in the month of
August, 1897.

WITNESSES TO MARK:

(Must Be Two Witnesses) }

W M Hopkins

Subscribed and sworn to before me this 28 day of July, 1906

Lacey P. Bo
Notary Public.

W. M. Hopkins made coffin for Leonard Burtics

Muskogee, Indian Territory, January 28, 1902.

Rhoda Burties,

Poteau, Indian Territory.

Dear Madam:

The Commission has received information of the death of your husband, James Burties, since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record, there is enclosed you herewith a blank for proof of death which you are kindly requested to have properly executed and at your earliest convenience and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for an acquaintance and a relative. In having the same executed be careful to see that all names are written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are ac-

R. B. 2.

knowledged [redacted] affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Actg. Chairman.

Knv.
D. C.
7-2768.

7-2768.

Muskogee, Indian Territory, October 30, 1902.

Mrs. Rhoda Burties,

Poteau, Indian Territory.

Dear Madam:

The Commission has received information of the death of your husband, James Burties, and of your son, Leonard Burties, since the time they were listed for enrollment as citizensby blood of the Choctaw Nation.

For the purpose of making their deaths a matter of record there are enclosed you herewith blanks for proof of death which you are kindly requested to have properly executed at your earliest convenience and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for an anquaintance and a relative. In having the same executed be careful to see that all names are written in full, and in event any of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the a fidavits are acknowledged must affix his notarial jurat and seal to each separate

R. B. 2.

affidavit.

In the matter of the application for the enrollment of your son, Moses Harris, as a citizen of the Choctaw Nation, it appears from his birth affidavit on file with the Commission that he was born on October 14, 1894, and his name is not found upon the 1896 Choctaw Census Roll.

You should therefore immediately supply the Commission with whatever explanation you may have as to the reason why his name does not appear on this census roll. This matter should receive you immediate attention as nothing further can be done in the matter of the enrollment of your son until this explanation is received.

Respectfully,

Acting Chairman.

2 D.C.
Env.

7-2391
7-2768

Muskogee, Indian Territory, March 30, 1903.

Israel Folson,

Wister, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th inst., enclosing the certificate of marriage between Israel Folsom and Rhoda Battiest.

You are advised that no person by the name of Rhoda Battiest appears to have ever been listed for enrollment as a citizen by blood of the Choctaw Nation.

It does appear from our records, however, that at the appointment of the Commission at Wister, Indian Territory, December 15 to 19, 1902 inclusive, information was received which enables the Commission to identify your wife as having been listed for enrollment under the name of Rhoda Burties, formerly the wife of James Burties, deceased; and it is presumed the certificate of marriage has been forwarded to this office for the purpose of having the name of Rhoda Burties changed to Rhoda Folsom.

You are informed that under the authority vested by the act of Congress approved July 1, 1902 (32 Stats., 641), the Com-

I F 2

mission on November 18, 1902, enrolled Rhoda Burties as a citizen by blood of the Choctaw Nation, and her enrollment was approved by the Secretary of the Interior January 17, 1903. The approval of the enrollment of Rhoda Burties is final, and the Commission cannot now make any change in her name; and allotment of land and distribution of other tribal property will probably be made to her under the name of Rhoda Burties.

The certificate of marriage is therefore returned you herewith.

Respectfully,

Chairman.

Enc B I 27-29.

7-2768

Muskogee, Indian Territory, August 2, 1904.

Rhoda Burties,

Poteau, Indian Territory.

Dear Madam :-

This office has been advised that your son, Leonard Burties, has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record, there is enclosed you herewith blank for proof of death, which you are kindly requested to have properly executed and returned to this office at your earliest convenience in the enclosed envelope, which requires no postage.

Respectfully,

Commissioner in Charge.

Env.
Enc. D.C.

COMMISSIONERS
TAMS BIXBY
THOMAS B. NEBLETT
C. R. BRECKINRIDGE
WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

7-2768

Muskogee, Indian Territory, August 2, 1904.

Rhoda Burties,

Poteau, Indian Territory.

Dear Madam :-

This office has been advised that your son, Leonard Burties, has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record, there is enclosed you herewith blank for proof of death, which you are kindly requested to have properly executed and returned to this office at your earliest convenience in the enclosed envelope, which requires no postage.

Respectfully,

Commissioner in Charge.

Env.
Enc. D.C.

7-2768

Muskogee, Indian Territory, May 26, 1905.

Isreal Folsom,

Wister, Indian Territory.

Dear Sir:

It appears from the records of the Commission that Leonard Burties, son of your wife Rhoda Folsom, died since he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making the death of this child a matter of record there are enclosed herewith blank affidavits, one to be sworn to by the mother of the child and the other by an acquaintance. Will you kindly have these affidavits properly executed and returned to this Commission in the enclosed envelope as early as possible. Please be careful to see that the Notary before whom the affidavits are sworn to affixes his signature and seal; that all the blanks are properly filled in, and if any of the affiants sign by mark, please have two witnesses who can write sign their names as witnesses to such signatures by mark.

Your early attention to this matter will be appreciated by the Commission.

Respectfully,

L-1
Env.

Chairman.

7-2768

Muskogee, Indian Territory, June 7, 1905.

Isruel Fulsom,

Wister, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 28, 1905, in which you state that you do not know anything about the death of Leanard Burties, but that you will endeavor to find some onw who was acquainted with him and knows of his death and if possible will forward the blank enclosed with our letter of May 25, 1905 duly executed.

In reply to your letter you are advised that if you can give the blank heretofore forwarded for the purpose of making the proof of the death of Leonard Burties to some person who was acquainted with said Leonard Burties and knows of his death, your attention to the matter will be highly appreciated.

Respectfully,

Commissioner in Charge.

11 OB.

REFER IN REPLY TO THE FOLLOWING
7-2768.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, October, 14, 1905.

Rhoda Burties,

Poteau, Indian Territory.

Dear Madam:

This office has received information to the effect that your son, Leonard Burties, has died since the date of his application, and in order to secure this information in proper form there is enclosed herewith a blank proof of death which you are requested to have filled out and return same to this office at the earliest possible date.

This matter should receive your immediate attention.

Respectfully,

Commissioner.

Enc.D.C.

7-2768.

Muskogee, Indian Territory, October, 14, 1905.

Rhoda Burties,

Poteau, Indian Territory.

Dear Madam:

This office has received information to the effect that your son, Leonard Burties, has died since the date of his application, and in order to secure this information in proper form there is enclosed herewith a blank proof of death which you are requested to have filled out and return same to this office at the earliest possible date.

This matter should receive your immediate attention.

Respectfully,

Commissioner.

Enc.D.C.

REFER IN REPLY TO THE FOLLOWING

7-2768

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

MAR 31 1906

Muskogee, Indian Territory, February 24, 1906.

Rhoda Fulsom,

Poteau, Indian Territory.

Dear Madam:

This office has received information to the effect that your minor son, Leonard Burties, an applicant for enrollment as a citizen by blood of the Choctaw Nation, has died since the date of his application.

In order to secure this information in proper form, there is enclosed you herewith a blank proof of death which you are requested to fill in and return the same to this office at the earliest possible date.

An envelope requiring no postage is enclosed herewith for reply.

Respectfully,

Acting Commissioner.

Encl. Env.

7-2768

Muskogee, Indian Territory, February 24, 1906.

Rhoda Fulsom,

Poteau, Indian Territory.

Dear Madam:

This office has received information to the effect that your minor son, Leonard Burties, an applicant for enrollment as a citizen by blood of the Choctaw Nation, has died since the date of his application.

In order to secure this information in proper form, there is enclosed you herewith a blank proof of death which you are requested to fill in and return the same to this office at the earliest possible date.

An envelope requiring no postage is enclosed herewith for reply.

Respectfully,

Acting Commissioner.

Encl. Env.

Muskogee, Indian Territory, August 17, 1906.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

Referring to Choctaw roll card No. 2768 you are advised that a red line has been drawn through the name of No. 3. thereon, Leonard Burties; the word"dead" stamped in front of said name, and the following notation placed on this card:

"No. 3. died in August 1897; Proof of death filed August 11. 1906.

You are therefore directed to make like changes on duplicate card of this number in your possession and eliminate the name of this person from your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Commissioner.

7-2768

Muskogee, Indian Territory, August 17, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

Referring to Choctaw roll card No. 2768 you are advised that a red line has been drawn through the name of No. 3. thereon, Leonard Burties; the word "dead" stamped in front of said name, and the following notation placed on this card:

"No. 3. died in August 1897; Proof of death filed August 11. 1906.

You are therefore directed to make like changes on duplicate card of this number in your possession and eliminate the name of this person from your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Commissioner.

2769 Sarah D. Bragdon Choc

See C-132
Duplicate record in Choctaw #4575

2769

Muskogee, Indian Territory, January 22, 1901.

Samuel Snyder,

Huntington, Arkansas.

Dear Sir:

The Commission is inreceipt of your letter of the 16th instant in which you state that you were at Muskogee some two months ago relative to your claim to enrollment as a citizen of the Choctaw Nation and that you have not heard from the Commission since that time.

You state further in your letter that you base your rights as a Choctaw Indian under the Broglin and Vandergriff rights. That Sarah Broglin and Hase Ann Vandergriff are your aunts and you now desire to be informed whether or not you will have to come to Muskogee for the purpose of furthering your claim for citizenship and enrollment as a citizen of the Choctaw tribe of Indians.

Replying to your letter you are informed that a careful search of the records of this Commission does not show that you have ever personally appeared before the Commission and made application for enrollment as a citizen of the Choctaw Nation and until such personal appearance the Commission cannot consider or in any way determine your rights to enrollment.

Concerning the parties who you state are your relatives, you are informed that the records of the Commission show that Sarah D. Brogdon, 34 years of age and her four minor children, Wesley H., Jodie J., Allaminta and Riley Brogdon were on June 15th, 1899

were listed for enrollment as citizens of the Choctaw Nation and on June 14th, 1899, Maxey A. F. Vandergriff, 49 years of age and her five minor children, James M., William P., Emma L., Annie C. and Dovey D. Vandergriff, were listed for enrollment as citizens of the Choctaw Nation. None of these parties had ever been enrolled by the Choctaw tribal authorities as citizens of the Choctaw Nation but were admitted to citizenship therein by judgment of the United States Court for the Central District of Indian Territory, rendered at South McAlester, Indian Territory, September 11th, 1897 in court case No. 62.

The Commission has to inform you that if you were not a party to the original application for citizenship made in this case to the Commission in 1896 or your name was not included in the judgment of the United States Court for the Central District of the Indian Territory admitting these parties to citizenship in the Choctaw Nation, you would be entitled to no rights or recognition under such judgment.

You are informed that the power of the Commission in determining the rights of parties to enrollment as citizens of any of the Five Tribes in Indian Territory is governed by the act of May 31st, 1900, which is as follows:

"But it (the Commission) shall not receive, consider, or make any record of any application for any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

You will therefore understand that if your name is not upon any of the tribal rolls of the Choctaw Nation or you have not been admitted to citizenship in said Nation by the tribal authorities

thereof or by the legally constituted authorities of the United States, this Commission is now without jurisdiction to consider or make any record of your application.

If, however, it is still your purpose to make such an application, the Commission will hear you at its office at Muskogee, Indian Territory upon your personal appearance at any time prior to the submission of the final rolls of citizens of the Choctaw Nation to the Secretary of the Interior for his approval.

It is suggested however, that if it is your purpose and intention to make such application that you do so as early as practicable.

Yours truly,

Acting Chairman.

7-2769
7-2649

7-2769

Muskogee, Indian Territory, August 24, 1906.

H. E. McLarty,

Rock Island, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 15, 1906, in which you ask if appeal can now be taken in case No. [redacted] on the South McAlester docket of the Citizenship Court and if so what procedure should be taken.

In reply to your letter you are advised that the act of Congress approved April 26, 1906, provides as follows:

"and no motion to reopen or reconsider any citizenship case, in any of said tribes, shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act."

Respectfully,

Acting Commissioner.

C- 132
7-4575 7-2369
7-3324 7-2759
7-2206 7-3326
7-2207
7-2649
7-2769
7-2208
7-3327
7-3326
7-R-345
Memo-39
7-5384
23-1008
23-1077
23-1078

W. C. P.

COPY

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of RICHARD S. RENNIGHT, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 6, 1899, by Richard S. Rennight, for the enrollment of himself and his minor children, Luther Rennight, Winn Rennight and Dora T. Rennight, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Anna Rennight, as a citizen by intermarriage of the Choctaw Nation; that on May 24, 1900, written application was filed for the enrollment of Tennie May Rennight, minor daughter of Richard S. Rennight and Annie E. Rennight, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, on August 9, 1899, by Samantha A. Stonecipher, for the enrollment of herself and her minor children, James R. Stonecipher, Essie M. Stonecipher, Bessie B. Stonecipher and Roscoe Stonecipher, as citizens by blood of the Choctaw Nation; that on June 7, 1900, written application was filed for the enrollment of L. C. Stonecipher, and on February 21, 1902, written application was filed for the enrollment of Oto Stonecipher, minor children of Wright Stonecipher and Samantha Stonecipher, as citizens by blood of the Choctaw Nation; that application was made to the commission to the Five Civilized Tribes at Talihina, Indian Territory, on June 1, 1899, by Laura C. Messersmith, for the enrollment of herself and her minor children, Agnes Messersmith, Samuel M. McKinley, Josephine C. McKinley and John Leo McKinley, as citizens by blood of the Choctaw Nation, and for the enrollment of her husband, Clark Messersmith, as a citizen by intermarriage of the Choctaw Nation, that on April 26, 1902, application was made for the enrollment of Robert Jackson Vanderslice as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Talihina, Indian Territory, on June 1, 1899, by James C. Johnson for the enrollment of himself and his

minor children, Alvin Johnson, William C. Johnson, Jesse R. Johnson, Rscoe Johnson and Addie May Johnson, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Nelila Johnson, as a citizen by intermarriage of the Choctaw Nation; that on June 7, 1900, application was made for the enrollment of Alice Johnson as a citizen by intermarriage of the Choctaw Nation; that on January 9, 1902, written application was made for the enrollment of Virgle Benton Johnson, minor child of Alvin Johnson and Alice Johnson, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, on June 14, 1899, by Maxey A. M. Vandergriff, for the enrollment of herself and her minor children, James M. Vandergriff, William P. Vandergriff, Emma L. Vandergriff, Annie C. Vandergriff and Dovey D. Vandergriff, as citizens by blood of the Choctaw Nation; that on January 17, 1902, written application was filed for the enrollment of Hildreth Vandergriff, minor child of James Vandergriff and Cleo Vandergriff, as a citizen by blood of the Choctaw Nation; that on June 15, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by James M. Bragdon, for the enrollment of Sarah D. Bragdon and her minor children, Wesley H. Bragdon, Jodie J. Bragdon, Allamentie Bragdon and Riley Bragdon, as citizens by blood of the Choctaw Nation; that on June 1, 1899, application was made to the Commission to the Five Civilized Tribes at Talihina, Indian Territory, by James C. Johnson, for the enrollment of Lena A. Williams and Samuel C. Williams as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, August 9, 1899, by Milus Johnson, for the enrollment of himself and his minor child, Vannie Lee Johnson, as citizens by blood of the Choctaw Nation; that on February 11, 1902, written application was filed for the enrollment of Eulalie Johnson, minor child of Milus Johnson and Mattie Johnson, as a citizen by blood of the Choctaw Nation; that on August 9, 1899, application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, by Dortus Parish, for the enrollment of herself and her minor children, Nellie J. Parish and Nannie E. Parish, as citizens by blood of the Choctaw Nation; that on August 27, 1901, written application was filed for the enrollment of Ethel May Parish, minor daughter of R. F. Parish and Dortus Parish, as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes during the month of August, 1899, by Oza Wingfield, for the enrollment of herself and her minor children, Emily C. Wingfield, Samuel W. Wingfield and William G. Wingfield, as citiens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Muskogee, Indian Territory, October 2, 1900, by Minerva A. Rattershell, for the enrollment of herself and her minor children, Finney D. Smith, Toby Y. Smith and Lucy I. Rattershell, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, on August 9, 1899, by Strus Thomas for the enrollment of herself and her minor daughter, Emma D. Thomas; that on January 8, 1902, written application was filed for the enrollment of Edna Lee Thomas, minor daughter of Strus Thomas and W. I. Thomas as a citizen by blood of the Choctaw Nation;

that application was made to the Commission to the Five Civilized Tribes at Wister, Indian Territory, on June 7, 1899, by Harvey E. McLarty for the enrollment of Sarah McLarty and her minor children, Elton E. McLarty and Burr McLarty as citizens by blood of the Choctaw Nation; that on October 8, 1900, written application was filed for the enrollment of Ida Polin McLarty, minor child of Harvey E. McLarty and Sarah McLarty as a citizen by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, on June 15, 1899 by Amanda I. Brake for the enrollment of herself and her minor daughter, Mary Brake, as citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commission to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 7, 1896, for the admission for certain of the applicants herein as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) in 1896 Choctaw Citizenship case No. 916, said names appearing in the application as follows: Luther Bennight, Win Bennight, Dora Jeff Bennight, Richard S. Bennight, Annie Bennight, Sarah D. Brogdon, Lily Brogdon, Wesley H. Brogdon, Jody J. Brogdon, Alaminta Brogdon, Hazy Ann F. Vandergriff, James M. Vandergriff, William P. Vandergriff, Thor L. Vandergriff, Annie C. Vandergriff and Novie D. Vandergriff. The names of Susan S. Bennight, Jessie D. Bennight, Millard Bennight, Evy C. Bennight, Mandy I. Vandergriff, Sarah McLarty, Elton E. McLarty, Burr McLarty and Sam Snyder also appeared in said application.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 9, 1896, for the admission of certain of the applicants herein as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), in 1896 Choctaw Citizenship case No. 1026, the names of said applicants appearing in said application as follows: James Johnson, S. Ann Stonecipher, James P. Stonecipher, Essie May Stonecipher, Bessie Bertha Stone-Cipher, Roscoe Stonecipher, Dortus Parish, Nellie T. Parish, Silus Johnson, Alvin Johnson, William C. Johnson, Jesse P. Johnson Enoch Johnson, Addie May Johnson, Delila Johnson, Laura C. McKinley, Lena A. Williams, Samuel C. Williams, Samuel M. McKinley, Josephine O. McKinley and John Leo McKinley. The Name of Atrus Johnson also appeared in said application.

On December 4, 1896, , the Commission denied the applicants in case No. 916, and on December 5, 1896, said Commission denied the applicants in case No. 1026.

From these decisions of the Commission appeal was taken to the United States Court for the Central District of Indian Territory, said cases being consolidated on appeal, which court on September 11, 1897, rendered a judgment admitting all of said applicants to citizenship in the Choctaw Nation except Susan S. Bennight, Jesse D. Bennight, Millard Bennight and Evy C. Bennight, whose applications were denied by said judgment.

Said judgment was subsequently vacated, set aside and held for naught be a decree of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations of Tribes vs. J. T. Riddle, et al".

Said cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de nove, and April 16, 1904, in the case entitled "Sarah D. Brogdon, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No. 65, South McAlester Docket), said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Sarah D. Brogdon, Wesley H. Brogdon, Jodie J. Brogdon, Allamanta Brogdon, Mazy Ann W. Vandergriff, Amaida I. Brake or Amanda I. Vandergriff, James M. Vandergriff, William P. Vandergriff, Emma I. Manly or Emma L. Vandergriff, Annie C. Vandergriff, James C. Johnson, S. Ann Stonecipher, James P. Stonecipher, Esa May Stonecipher or Essie May Stonecipher, Bessie Bertha Stonecipher, Roscoe Stonecipher, Dartus Parrish or Dortus Parish, Nellie T. Parrish or Parish, Milus Johnson, Beatrice Thomas or Atrus Johnson, Addie May Johnson, Alvin Johnson, William C. Johnson, Jesse B. Johnson or Jessie B. Johnson, Esco Johnson or Escoe Johnson, Laura C. Vanderslice or Laura C. McKinley, Josephine C. McKinley, John Lee McKinley, Lena A. Boggs or Lena A. Williams, Samuel C. Williams, Delilah Johnson or Delila Johnson, Sarah McClarty, Elton McClarty and Burr McClarty be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom; and as to the petitioners, Riley Brogdon . . . . . the court having no jurisdiction, their petition is dismissed".

On the same date, said Citizenship Court rendered a judgment in the case of "Susan S. Benhight, et al., vs. Choctaw and Chickasaw Nations", wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Susan S. Benhight, Richard E. Benhight, Jessie D. Benhight or Jesse D. Bennight, Annie E. Benhight or Annie Bennight, James Luther Benight or Luther Benight, Winn Benight, Dora Jeff Benight, Millard Benight, and Evy G. Benight or Eva G. Benight be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On May 9, 1902, the Commission to the Five Civilized Tribes refused the application for the enrollment of Oza Wingfield, Emily C. Wingfield, Samuel W. Wingfield and William G. Wingfield, under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221), and on June 9, 1902, this action of the Commission was approved by the Department.

On November 20, 1900, the Commission to the Five Civilized Tribes refused the application for the enrollment of Minerva A. Battershell, Binney D. Smith, Toby Y. Smith and Lucy I. Battershell, under the rpovisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), and on April 3, 1901, this action of the Commission was approved by the Department.

On May 27, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Hildreth Vandergriff, Agnes Messersmith, Robert Jackson Vanderslice, Fannie L. Johnson, Eulalie Johnson, Nannie E. Parish, Ethel

May Parish, L. C. Stonecipher, Oto Stonecipher, Ten[illegible] Benight, Emma D. Thomas, Edna Lee Thomas, Ida Bolin McLarty and [illegible] Benton Johnson, for the reason that the citizenship of the persons through whom said applicants claimed a right to enrollment had been adversely determined by the Choctaw-Chickasaw Citizenship Court.

On May 27, 1904, the application for the enrollment of Alice Johnson as a citizen by intermarriage of the Choctaw Nation was dismissed by the Commission to the Five Civilized Tribes for the reason that her husband, through whom she claimed her intermarried rights, had been denied by a decree of the Choctaw and Chickasaw Citizenship Court.

On February [illegible], 1905, the Commission to the Five Civilized Tribes dismissed the application for the enrollment of Samuel M. McKinley in accordance with the opinion of the Acting Attorney General dated May [illegible], 1904 (I.T.D. 5824-1904), and the opinion of the Assistant Attorney General dated July [illegible], 1904 (I.T.D. 5246-1904).

By a general order of the Commission of March 31, 190[illegible], the applications for the enrollment of Clark Messersmith, Mary Brake and Annie C. Vandergriff were dismissed, said applicants having died prior to September 25, 190[illegible].

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on June 2[illegible], 1906, by W. O. Pool and M. [illegible] Lindly, attorneys at law, South McAlester, Indian Territory, a petition praying for the enrollment of Susan Benight, R. S. Benight, Jessie D. Benight, Millard Benight, Eva G. Benight, Hazy Ann Vandergriff, Sillar Elizabeth Sorrels, Sarah McClarty, Amanda I. Bakes (nee Vandergriff), William P. Vandergriff, Emma L. Vandergriff, Annie C. Vandergriff, Dora D. Vandergriff, Lucinda Snyder, Samuel Snyder, Wilbert Shandy, John Shandy, Georgia A. Bottoms or Georgie Bottom, James Bottom, Minnie Bottom, Becca McLain or Rebecca McLain, Frankie Bryant (nee McLain), Manerva Smith, Benjamin Smith, Tobias Smith, [illegible] Battershell, Lucy Battershell, Sarah Brogden, Westly [illegible] Brogden, Allamenta Brogden, Joseph L. Brogden, Riley Brogden, James C. Johnson, Delilah Johnson, S. Ann Stonecipher, Dartus Parish, Milas Johnson, Atrus Thomas, Alvin Johnson, William C. Johnson, Maude May Johnson, Esco Johnson, Laura C. Vanderslice or Laura C. McKinley, Samuel M. McKinley, Joseph C. McKinley, John Leo McKinley, Samuel C. Williams, Emma D. Thomas, Fannie Johnson, Eloyar Johnson, Earnest Johnson, Allice Johnson, Virgel Johnson, Samuel Sorrels, Manda C. Sorrels, Anna Benight, Luther Benight, Wenn Benight, Dora Jeff Benight, Elton E. McClarty, Burr McClarty, James [illegible] Stonecipher, Essie Stonecipher, Bessie Stonecipher, Roscoe Stonecipher, Otto Stonecipher, Nellie T. Baggett (nee Parish), Oza Wingfield or Osa Wingfield or Ozie Windfield, Emily C. Windfield, Samuel Windfield, Mrs David W. Reeves and Lena A. Boggs or Lela Boggs as citizens of the Choctaw Nation.

The petitioners, Luther Benight, Wenn Benight, Dora Jeff Benight, R. S. Benight, Annie Benight, Sarah Brogden, Riley Brogden, Westly H. Brogden, Joseph L. Brogden, Fannie Johnson, Eloyar Johnson, Oza Wingfield, or Osa Wingfield or Ozie Windfield, Allamenta Brogden, Hazy Ann Vandergriff, William P. Vandergriff, Emma L. Vandergriff, Annie C. Vandergriff, Dora D. Vandergriff, James C. Johnson, S. Ann Stonecipher, James [illegible] Stonecipher, Essie Stonecipher,

Bessie Stonecipher, Roscoe Stonecipher, Emily C. Windfield, Samuel Windfield, Martus Parish Nellie T. Baggett (nee Parish), Miles Johnson, Alvin Johnson, William C. Johnson, Maude May Johnson, Enoo Johnson, Delilah Johnson, Laura C. Vanderslice, Samuel C. Williams, Samuel M. McKinley, Joseph C. McKinley, John Leo McKinley, Manerva Smith, Benjamin Smith, Tobias Smith, Lucy Pettershell, Allice Johnson, Virgil Johnson, Sarah McClarty, Amanda I. Drakes, (nee Vandergriff), Atrus Thomas, Elton E. McClarty, Burr Mcclarty and Emma D. Thomas, are identical with the persons for whose enrollment as citizens of the Choctaw Nation applications were made under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495).

This office has no record of any application ever having been made for the enrollment of the petitioners, Susan Benight, Jessie D. Benight, Millard Benight, Eva C. Benight, Samuel Snyder, Hillar Elizabeth Sorrels, Lucinda Snyder, Wilbert Shandy, John Shandy, Georgia A. Bottoms or Georgie Bottom, James Bottom, Minnie Bottom, Becca McLain or Rebecca McLain, Frankie Bryant (nee McLain), Earnest Johnson, Samuel Sorrels, Manda C. Sorrels and Mrs. David W. Reeves at any time prior to December 1, 1905.

Applications were received for the enrollment of the following persons as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137):

June 11, 1906, Rosena Vandergriff, born September 10, 1903, minor child of James M. Vandergriff and Cleo Vandergriff;

June 1, 1906, Carl R. Vandergriff, born March 28, 1904, minor son of William P. Vandergriff and Nelle Vandergriff;

June 18, 1906, Annie Myrtle Manly, born September 13, 1903, minor daughter of James Manly and Emma L. Manly;

June 11, 1906, Ury Eugene Boggs, born November 25, 1902, Samuel Leslie Boggs and John Lester Boggs, born September 12, 1905, minor children of Warren Boggs and Lena A. Boggs.

It is alleged in the petition filed June 25, 1906, that the Indian blood and residence, as well as the birth of the petitioners in the Choctaw Nation entitled them under all the laws and treaties, usages and customs and decisions of the Attorney General to be enrolled as members of the Choctaw tribe of Indians; that the Commission to the Five Civilized Tribes, the United States Court and the Choctaw-Chickasaw Citizenship Court had no jurisdiction over said petitioners.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that the petitioners have ever been recognized or enrolled as citizens of the Choctaw Nation by the tribal authorities of said nation. The names of none of said petitioners appear upon any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am, therefore, of the opinion that the petitioners have never occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation; that the action of the Choctaw-Chickasaw Citizenship Court of April 18, 1904, is final, and that the applications for the enrollment of Richard C. Bennight, Luther Bennight, Winn Bennight, Dora J. Bennight, Laura C. Vanderslice, Josephine C. (or Joseph C.) McKinley, John Leo McKinley,

Maxey A. W. Vandergriff, James M. Vandergriff, William P. Vandergriff, Emma L. Vandergriff, Dovey D. Vandergriff, James C. Johnson, Alvin Johnson, William C. Johnson, Jesse B. Johnson, Esco Johnson, Addie May Johnson, Sarah D. Bragdon, Wesley H. Bragdon, Jodie J. (or Joseph L.) Bragdon, Allaminta Bragdon, Riley Bragdon, Lena A. Williams, Samuel C. Williams, Dortus Parish, Nellie J. Parish, Samantha Stonecipher, James B. Stonecipher, Essie M. Stonecipher, Bessie B. Stonecipher, Roscoe Stonecipher, Wilus Johnson, Sarah McLarty, Elton E. McLarty, Burr McLarty, Amanda I. Brake and Artus Thomas as citizens by blood of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the application for the enrollment of Delilah Johnson and Anna Bennight as citizens by intermarriage of the Choctaw Nation, and the petition herein in so far as same applies to said applicants, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that following the ruling of the Department of May 25, 1906 (I.T.D. 9114-1906), in the case of Laura E. Akin, the application for the admission of Susan S. Benight, Millard Benight, Ivy O. Benight, Sam Snyder and Jessie B. Benight as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), were not continuing applications, and inasmuch as no application was filed for their enrollment as citizens of the Choctaw Nation prior to December 1, 1905, the petition herein in so far as it applies to said petitioners, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Samuel M. McKinley, Otto (or Oto) Stonecipher, Fannie (or Fannie L.)Johnson, Eleyer (or Eulalie) Johnson, Annie C. Vandergriff, Alice Johnson, Virgel (or Virgle Benton) Johnson and Emma D. Thomas, whose applications for enrollment as citizens of the Choctaw Nation have heretofore been dismissed, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Minerva Smith, Benjamin Smith, Tobias Smith, Lucy Battershell, Ozie Windfield, Emily C. Windfield and Samuel W. Windfield, whose applications for enrollment as citizens of the Choctaw Nation have heretofore been refused, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein, in so far as it applies to the petitioners, Lillar Elizabeth Serrels, John Shandy, Georgia Bottom, Rebecca McLain, Mrs. David W. Reeves, E. Battershell, Frankie Bryant (nee McLain) and Dora D. Vandergriff, for whose enrollment as citizens of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Lucinda Snyder, Wilbert

Shandy, James Bottom, Minnie Bottom, Earnest Johnson, Samuel Sorrels and Manda C. Sorrels, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), that said application should be denied, and it is so ordered.

I am further of the opinion that the applications filed June 1, 1906, June 11, 1906, and June 18, 1906, for the enrollment of Carl R. Vandergriff, Rosena Vandergriff, Ury Eugene Boggs, Samuel Leslie Boggs, John Lester Boggs and Annie Myrtle Manly as citizens of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

SIGNED Tams Bixby

Commissioner.

Muskogee, Indian Territory,

FEB 18 1907

2770 Albert Folsom Choc

2770

United States Of America,
Indian Territory,
[illegible] Dist.

I Mrs Mandy Boster, a citizen of the United States, do state on oath that I am well acquainted with Mrs Susie K. Folsom, and that I seen her before her child was born and seen her and her child (male) after it was born, it is now living and have been named Joseph Schley Folsom, I am satisfied beyond a doubt that it is a son of Albert P. and Susie K. Folsom's as many of their neighbors could testify too, Mr. Albert P. Folsom has waited on his wife Susie K. since their first child was born.

E. B. Ward Mandy her Boster

Subscribed and sworn to before me this 16 day of June 1899

J. L. Lewis.
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

J. S. Folsom

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Joseph S. Folsom, born on the 12th day of June, 1898.

Name of father: Albert P. Folsom, a citizen of the Choctaw Nation.

Name of mother: Susie K. Folsom, a citizen of the Choctaw Nation.

Post Office: Milton, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Susie K. Folsom, on oath, state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Albert P. Folsom who is a citizen, by Blood, of the Choctaw Nation; that a Male child was born to me on the 12th day of June, 1898, that said child has been named Joseph Ashley Folsom, and is now living.

Susie K. Folsom

Subscribed and sworn to before me this 16 day of June, 1899.

L. E. Levier
Notary Public.

Com. Exp. 1901

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Albert P. Folsom, a , on oath, state that I attended on ~~Mrs.~~ Mrs , wife ~~of~~

on the 12th day of June, 1898; that there was born to her on said date a Male child; that said child is now living and ~~is said to~~ has been named Joseph Ashley Folsom.

Albert P. Folsom.

Subscribed and sworn to before me this 16 day of June, 1899.

L. E. Levier
Notary Public.

CHOCTAW. 20 INDEXED.

IN RE

Application for Enrollment of

INFANT CHILD

Musie Irene Folsom

as a citizen of

Choctaw Nation.

Approved, FEB 20 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 20 1902

ACTING CHAIRMAN.

3770

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Susie Irene Folsom (Here insert name of child), born on the 27 day of January, 1902

Name of Father: Albert P. Folsom, a citizen of the Choctaw Nation.

Name of Mother: Susie R. Folsom, a citizen of the Choctaw Nation.

Post-office, Milton, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Susie R. Folsom, on oath state that I am 29 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Albert P. Folsom, who is a citizen, by blood, of the Choctaw Nation, that a Girl (male or female) child was born to me on the 27 day of January 1902 that said child has been named Susie Irene, and is now living.

Susie R. Folsom

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 14 *day of* February 1902

J. L. Lewis
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, A. M. Sides, a nurse, on oath state that I attended on Mrs. Susie R. Folsom, wife of Albert P. Folsom on the 27 day of January, 1902 that there was born to her on said date a Girl (male or female) child; that said child is now living and is said to have been named Susie Irene Folsom.

A. M. Sides

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 14 *day of* February 1902

J. L. Lewis
NOTARY PUBLIC

Com. Ex. 3/1/05

7-2770

Muskogee, Indian Territory, February 20,1902.

Albert P. Folsom,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Susie Irene Folsom, the infant daughter of Albert P. and Susie K. Folsom, born January 27, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Choctaw 2770

Muskogee, Indian Territory, October 21, 1902.

Albert P. Folsom,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant in which you state that you and your family have been heretofore enrolled and desire to be advised if it is necessary for you to again appear before the Commission.

In reply to your letter you are advised that it appears from our records that Albert Folsom, his wife, Susie K. Folsom, and their children, Claude C., David W., Allie M., Ollie E., Joseph S. and Susie Irene Folsom, are listed for enrollment as citizens by blood of the Choctaw Nation.

If there have been no births or deaths in your family since the time they were listed for enrollment, it is not considered necessary at this time for you to again appear before the Commission.

Respectfully,

Acting Chairman.

Choctaw 2720

Muskogee, Indian Territory, August 11, 1904.

Rebecca A. Cox,

Milton, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of August 6, asking the status of your enrollment as an intermarried citizen, and in reply you are advised that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, but it is probable that your case will be reached for consideration and determination in the near future, and when a decision is rendered you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

2771 David C. Hartshorne doc

2771

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of-

GEORGE E. HARTSHORNE, 7-D-247.

D 247

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In enrollment of George E. Hartshorne as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

George E. Hartshorne, thirty-one years old.

Q You are a white man? A Yes sir.

Q Your wife David C. is a Choctaw Indian by blood? A Yessir

Q When were you first married to her? A January 8th,1896.

Q Where? A In Fort Smith.

Q Under the laws of the State of Arkansas? A Yes sir.

Q Were you re-married to her? A Yes sir.

Q When? A The 17th of September, 1896.

Q Under the laws of the Choctaw Nation? A Yes sir.

Q You claim you sent your license and application to the Dawes Commission for enrollment in 1897? A Yes sir.

Q Had you been divorced from your wife? A No sir.

Q Have you been living with her all the while since you first married her? A Yes sir.

Q This marriage was simply to conform to the Laws of the Choctaw Nation? A Yes sir.

Department of the Interior,

M. D. Green

Department of the Interior
Commission to the Five Civilized Tribes
Wister I T December 19th 1902

Choctaw D-247
Intermarried

--------oOo--------

In the matter of the application of George E. Hartshorne for enrollment as an intermarried citizen of the Choctaw Nation.

George E. Hartshorne being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A George E. Hartshorne.
Q How old are you? A Thirty-five.
Q What is your post office address? A South McAlester.
Q How long have you been a resident of the Choctaw Nation?
A Fifteen years.
Q Have you lived here continuously for the past fifteen years?
A With the exception of four months in the Chickasaw Nation two years ago.
Q You have never made your home anywhere else except in these two Nations during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Her name was David Cornelia McCurtain.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to this woman? A We were married under the Choctawlaw the 17th of September, '96.
Q When were you married to her before that? A 8th of January, '96.
Q Where was this first marriage ceremony performed? A Fort Smith, Arkansas.
Q Under the Arkansas law? A Yes sir.
Q You remarried the same woman afterward? A Yes sir.
Q Did you obtain a license for the second marriage? A Yes sir.
Q From whom did you get that license? A From the Clerk of Gaines County.
Q How much did you pay for the license? A One Hundred dollars.
Q Who performed the marriage ceremony? A Willis Folsom, Choctaw minister.
Q What became of your license and certificate? A I was notified to send them to the Dawes Commission and sent them and received no receipt and wrote and asked them and they said they had never received them; that was in '97.
Q Did you actually send those yourself? A Yes sir, mailed them myself.
Q Did you ever try to get a copy of those? A Yes sir.

Q Did you get that? A No sir, the Clerk told me there was no record.
Q Did you have that marriage recorded? A No sir, I sent it to have it record but it was returned to me, and the Clerk said it was never done; that's all I have is just his word for it.
Q Who did you send that license by to be recorded? A By mail.
Q Did you get your license yourself? A I sent a man after them.
Q Who was that man? A Wilse Henderson.
Q Were you ever married before your marriage to David Cornelia McCurtain? A Never.
Q Was she ever married before her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

There is offered in evidence, marked exhibits "A" and "B", affidavits of J. H. Bowman and Caroline Bowman, relative to the marriage of George E. Hartshorne and David Cornelia McCurtain.

Wilson L. Henderson being called as a witness and duly sworn, testified as follows:

Q What is your name? A Wilson L. Henderson.
Q How old are you? A Forty years old.
Q What is your post office address? A Shady Point, I. T.
Q Are you acquainted with this applicant George E. Hartshorne?
A Yes sir.
Q How long have you known him? A About twelve or fifteen years.
Q Do you know his wife? A Yes sir.
Q What is her name? A Her name was David McCurtain.
Q Do you know anything regarding the marriage of these parties?
A Yes sir.
Q State what you know of their marriage? A I went after the license; Hartshorne gave me the application and one hundred dollars and I went to the county clerk and give it to the county clerk and got his license.
Q From whom did you get that license? A A. Frank Ross I think was the man that issued the license. The clerk was Nelson.
Q Clerk of what county? A Gaines county, at Hartshorne.
Q You actually saw that license? A Yes sir, and paid One Hundred dollars and I carried that license to Hartshorne.
Q You know it was issued in regular form? A Yes sir.
Q Did you get other license at the same time? A Yes sir, and same date; James Cromwell.
Q Was this marriage license procured for a remarriage of these parties? A Yes sir.

Q You knew them well at that time did you? A Yes sir.
Q Were you present at the marriage ceremony which was performed under that license? A No sir.
Q Do you know that there was one performed? A No sir, I couldn't say that there was, for I never seen it.
Q Was it generally understood that they remarried? A Well, I think they kinda celebrated his second marriage up there. They charivaried him on his second marriage.

- - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 19th day of December , 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles N. Sawyer

Notary Public.

7-D-247
LGD

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of George E. Hartshorne as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that George E. Hartshorne, on September 17, 1896, was married in accordance with the laws, customs and usages of the Choctaw Nation to David C. Hartshorne (nee McCurtain), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No.8123 upon the lists prepared by this Commission under the Act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that George E. Hartshorne should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Acting Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

Muskogee, Indian Territory,

MAR 4 1903

Choctaw D-247.

Muskogee, Indian Territory, March 4, 1903.

George E. Hartshorne,

South McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc. I.B.S.3-c

Choctaw D-247

Muskogee, Indian Territory, March 4, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered March 4, 1903, granting the application of George E. Hartshorne for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Chairman.

Registered.

Enc. I.B.S. 3-d

IN RE

Application for Enrollment of

INFANT CHILD.

Jane E. Hartshorne

As a citizen of the

Choctaw Nation.

Approved [illegible] 15 1899

[illegible] Commissioner.

7-2441

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Jane Emahaya, born on the 23 day of April, 1898
Name of father: G. E. Hartshorne, a citizen of the Choctaw Nation.
Name of mother: David C. Hartshorne, a citizen of the Choctaw Nation.
Post Office: Atoka, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, David C. Hartshorne, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of ~~G. E. Hartshorne~~ who is a citizen, by marriage of the Choctaw Nation; that a female child was born to me on the 23d day of April, 1899; that said child has been named Jane Emahaya, and is now living.

David C. Hartshorne

Subscribed and sworn to before me this 15 day of June, 1899.

Frank E. Parke
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, G. E. Hartshorne, a Physician, on oath, state that I attended on Mrs. David C. Hartshorne wife of ~~G. E. Hartshorne~~ on the 23 day of April, 1898; that there was born to her on said date a female child; that said child is now living and is said to have been named Jane Emahaya.

G. E. Hartshorne M.D.

Subscribed and sworn to before me this 15 day of June, 1899.

Frank E. Parke
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Edward D. Hartshorne

As a citizen of the

Choctaw Nation.

Approved January 18, 1902

Commissioner.

7-2771

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Edward D. Hartshorne, born on the 5th day of March, 1898.
Name of father: Geo. E. Hartshorne, a citizen of the Choctaw Nation.
Name of mother: David C. Hartshorne, a citizen of the Choctaw Nation.
Post Office: Atoka, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, David C. Hartshorne, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Geo. E. Hartshorne who is a citizen, by marriage, of the Choctaw Nation; that a male child was born to me on the 5th day of March, 1898; that said child has been named Edward Duff, and is now living.

David C. Hartshorne

Subscribed and sworn to before me this 15 day of April, 1898.

Frank E. Parke
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, G. E. Hartshorne, a physician, on oath, state that I attended on Mrs. David C. Hartshorne wife of Geo. E. Hartshorne on the 23 day of April, 1898; that there was born to her on said date a male child; that said child is now living and is said to have been named Edward Duff.

G. E. Hartshorne M.D.

Subscribed and sworn to before me this 15th day of April, 1898.

Frank E. Parke
Notary Public.

I was present at the marriage of Geo. E. Hartshorne and David C. McCurtain Hartshorne, Sept. 17th 1896. They were married at my house the Rev. Willis Pulson [illegible] performing the [illegible]. It was the same day James Cromwell and Carrie Minneman were married, by Judge Joseph Ward.

I, James H. Bowman, do solmenly swear that the above statement is true and correct. J. H. Bowman ----------(Seal)

Personally appeared before me, a Notary Public, in the Central District, Ind. Ter., J. H. Bowman and makes the foregoing statement, under oath/. Frank Lewis Notary Public.

This 8th day of November 1902. My Commission Expires 2/3d 1904

--- Spiro ---Ind. Ter.

7 5 247

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED

I was present at the marriage of [illegible] Eastshorne and David C. McCustarie Eastshorne, Sept. 17th ~~1902~~ 1896. They were married by Rev. Will's Fuson, at my house. My daughter Carrie Merriman was married, the same day, to James Cromwell, Judge Joseph Ward performing the ceremony.

I, Caroline Bowman, do solmenly awear that the above statement is true and correct. Caroline Bowman (Seal)

Personally appeared before me, a Notary Public in the Central District Ind. Ter., Caroline Bowman and makes the foregoing statement, under oath. J. H. Bowman Notary Public.

This 8th day of ~~October~~ November, 1902. My Commission Expires Mar 3d, 1906

Oak Lawn Ind. Ter.

Z E & D C 7 [illegible]

Hartshorne

Oak Lodge, I. T.

Choctaw Pioneer

and

[illegible] certificate

FILED

SEP 2 1897

H. McJan[illegible]

SEC'Y.

Hartshorne Court House
Gains County Choctaw N.
Ind. Ter.
Sept. 15th 1896

To all whom it may concern.

That whereas J. E. Hartshorne a citizen of the United States has this day petitioned according to the laws of the Choctaw Nation for license to marry a citizen of the Choctaw Nation.

He having complied with all requirements of said law I the county clerk of Gains County by virtue of the authority in me vested do hereby grant unto the above mentioned J. E. Hartshorne a license to marry a citizen of the Choctaw Nation, and any minister of the Gospel or Judge of Court is hereby authorized to perform said marriage.

In testamony whereof I hereunto set my hand and official seal on this the 15th day of Sept. 1896

Jackson Nelson
Co. Clk. of Gains Co. C. N.
A. Frank Roff
Deputy

This is to certify that on Sept. [illegible] I [illegible] in [illegible] according to the laws of the Choctaw Nation J. E. Hartshorne to David C. McCurtain

witnesses { Will Merryman
Quince Brownan

Willis F. Folsom

Oak Lodge, F.T.
July 27th 1897

To the Hon. [illegible] Commission, Ft Gibson, F.T.

We do solemnly swear that the facts set down in the appended marriage license & certificate are true and correct; that David Cornelia McCurtain is an Indian (Choctaw) by blood — a niece of Gov. Green McCurtain [illegible] that we were married according

2

to the statutes of Arkansas on Jany. 9th 1896, and were remarried according to the [illegible] of the Choctaw Nation on Sept. 17th 1896, that [illegible] performed the ceremony, and Prince Bowman and Will Mannimary also J.H. & Mrs Caroline Bowman were present.

It being a common ruling of the Choctaw laws and also according to [illegible]

Claytons [illegible]
we hereby present
Dr. E. E. Hartshorne's
name to your Honorable
[illegible]
he having been register-
ed by the Clerk and
Boards in [illegible]
Dec. of 1896, and voted
in the late election.
(Seal) Dr. E. E. Hartshorne
(Seal) David Hartshorne.

Sworn to and subscribed before me
this 27" day of August 1897.
Frank E. Parke
Notary Public

Muscogee, Indian Territory,

August 18th, 1900.

George E. Hartshorne,

Spiro, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorneys, Messrs McCennon, Mansfield, McMurray, & Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, convening September 3rd, 1900, will hold a session at Atoka, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and this hearing will be final.

Yours truly,

Acting Chairman.

7-7-247.

Muskogee, Indian Territory, September 18, 1900.

George E. Hartshorne,

Spiro, Indian Territory.

Dear Sir:-

Since notifying you on August 18, 1900, of the protest filed by the Choctaw Nation to your enrollment as a citizen of the Choctaw Nation, the Commission has been furnished by the Nation with the grounds upon which objection is made to your enrollment. The question raised is to your right to enrollment under your second marriage.

The Commission is in possession of a sufficient statement of facts upon which a decision may be rendered and in your case it will not be necessary for you to appear at the appointment at Atoka beginning December 3rd, 1900.

The Commission will accept and consider any written arguments on questions of law submitted on behalf of the Choctaw Nation at any time prior to February 1st, 1901, and on your behalf at any time prior to March 1st, 1901.

As soon thereafter as practicable the Commission will consider and finally determine your right to enrollment and the decision of the Commission, stating fully its reasons for any action that may be taken, will be mailed to you.

Yours truly,

Acting Chairman.

7-D-247

7-D247

Muskogee, Indian Territory, February 2, 1903.

G. R. Hartshorne,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 21, in which you protest against the classification of certain lands described by you and ask that the same be re-graded.

In reply to your letter you are advised that the appraisement of the lands of the Choctaw and Chickasaw Nations, heretofore made, is by the Commission considered final and your request can not, therefore, be granted.

Respectfully,

Acting Chairman.

2772 Hester A. Barber

Choc

2772

20

IN RE

Application for Enrollment of

INFANT CHILD.

Jas. William [illegible]

As a citizen of the

[illegible] Nation.

Approved [illegible] 1

Commissioner.

FILED
MAY 31 1900
COMMISSION TO FIVE TRIBES

Dec. 2772

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of James William Barbour born on the 2 day of May, 1900.

Name of father: David P. Barbour, a citizen of the Inter by intermarriage Nation.

Name of mother: Hester, Barbour, a citizen of the Choctaw Nation.

Post Office: Yamaha Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Hester Barbour, on oath, state that I am 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of David P Barbour who is a citizen, by Intermarriage of the Choctaw Nation; that a Male child was born to me on the 2 day of May, 1900; that said child has been named James William Barbour and is now living.

Mrs. Hester Barbour

Subscribed and sworn to before me this 2nd day of [illegible], 1900

[illegible]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Geo. W. St Clair, a Physician, on oath, state that I attended on Mrs. Hester Barbour, wife of David P Barbour on the 2nd day of May, 1900; that there was born to her on said date a male child; that said child is now living and is said to have been named James William Barbour

Geo W St Clair M D

Subscribed and sworn to before me this 2nd day of May, 1900.

[illegible]
Notary Public.

C.

FILED
MAY 31 1900
COMMISSION TO FIVE TRIBES.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes.

Bokoshe

Martha J Taylor

VS. **NO.** 278

CHOCTAW Nation.

FORT SMITH, ARK., DEC 1ST 1896.

SIR:

In compliance with the provisions of Act of Congress, Approved June 10, 1896, the Commission to the Five Civilized Tribes has considered this application, with proof, and the same has been ...TED by the Commission.

Respectfully,

H. M. JACOWAY, JR.,

Secretary.

INDEXED

LAW. 20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of

[illegible] Nation.

Approved May 17, 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAR 17 1902

ACTING CHAIRMAN.

D.

2772

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of David Preston Barbour, born on the 18 day of February, 1902
(Here insert name of child.)

Name of Father: W. P. Barbour a citizen of the by Marriage Nation.

Name of Mother: Hester Barbour a citizen of the Choctaw Nation.

Post-office Tamaha I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Hester Barbour, on oath state that I am 21 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of W. P. Barbour, who is a citizen, by Marriage, of the Choctaw Nation; that a Male (male or female.) child was born to me on 18 day of February 1902; that said child has been named David Preston Barbour, and is now living.

Hester A. Barbour.

WITNESSES TO MARK:

(Must be Two Witnesses)

My Commission Expires May 2 1903

Subscribed and sworn to before me this 14 *day of* March 190 2

Jno B. Davidson
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, T. L. Birkenmier, a Nurse, on oath state that I attended on Mrs. Hester Barbour, wife of W. P. Barbour on the 18 day of February, 1902; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named David Preston Barbour

T. L. Birkenmier

WITNESSES TO MARK:

(Must be Two Witnesses)

May 2 1903

Subscribed and sworn to before me this 14 *day of* March 190 2

Jno B. Davidson
NOTARY PUBLIC

Muskogee, Indian Territory, May 25, 1900.

Mr. David Barbour,

Tamaha, Indian Territory,

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of James William Barbour, infant son of David P. and Hester Barbour. The records of this Commission do not show that any parties by the name of Barbour have ever been listed for enrollment in the Choctaw Nation. A Hester A. Barber eighteen years of age, of Spiro, Indian Territory, was listed for enrollment, June 15th, 1899, as a Choctaw. If this is the party who is now your wife, you are requested to so inform the Commission, and also to furnish an affidavit as to the correct spelling of the name, Barbour, whether it Barbour or Barber. Upon the receipt of the information and the identification of the mother as being listed for enrollment by the Commission, the matter of the application for enrollment of your son will receive further consideration.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to 7-2772

Tamaha,

I. T. 5/29/1900.

Hon Daws Commission

Muskogee

Dear Sirs, In regard to the infant sone of David P. and Hester Barbour of this place will say that Hester A. Barber that registered at Spiro June the 15-1899 is my wife and that the proper way to spell our name is Barbour and not Barber. She is the daughter of James and Marthda J. Taylor of Bokoshe, she was 18 years old 3rd day of December 1898 and was enroled as a Choctaw June the 15th 1899 at Spiro.

James William Barbour was born at Bokoshe May 2nd 1900. Will send you the same proofe she had when she was enroled at Spiro

Hoping this will be satifactory I am Respictfull

D. P. Barbour

Sworn to and Subscribed before me this 29th may 1900.

Wm B. Davidson

SEAL

Notary Public.

My Commission Expires
3 May 1903.

Muskogee, Indian Territory, May 31, 1900.

Mr. D. P. Barbour,

Tamaha, Indian territory,

Dear Sir:

The Commission is in receipt of your letter of May 29th, in the matter of the application for enrollment as a citizen of the Choctaw Nation of James William Barbour, the infant son of David P. and Hester Barbour, and also the inclosure of the notification of this Commission of the admission to citizenship under the act of June 10th, 1896 of Martha J. Taylor. This information having enabled the Commission to identify Hester A. Barbour as having been listed for enrollment, the application for enrollment of your infant child has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to 7-2772

Muskogee, Indian Territory, March 1, 1901.

McKennon & Dean,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 22nd ultimo, in which you desire to be informed as to the status of D. P. Barbour and Mrs. Hester A. Barbour of Tamaha, Indian Territory, and if they are on the Choctaw rolls.

Replying to your letter you are informed that the records of the Commission show that Hester A. Barber, 18 years of age, of Spiro, Indian Territory, was on June 15th, 1899 listed for enrollment as a citizen by blood of the Choctaw Nation, having been identified from the 1896 Census roll of the Choctaw Nation.

There is also listed for enrollment with her, James William Barber the infant son of Hester A. and David P. Barber, but it does not appear from the records of this Commission that D. P. Barber has ever been an applicant for enrollment as an intermarried citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2772

7-2772

Muskogee, Indian Territory, March 17, 1902

D. P. Barbour,

Tamaha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of David Preston Barbour, the infant son of D. P. and Hester A. Barbour, born February 18, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge

2773 K. Tanoy Walker choc

2773

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

MATTIE WALKER, 7-2773.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 18th, 1902.

Choctaw 2773
Intermarried

--------oOo--------

In the matter of the application of Mattie Walker for enrollment as an intermarried citizen of the Choctaw Nation.

Mattie Walker being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Mattie Walker.
Q How old are you? A Thirty-three.
Q What is your post office address? A Spiro.
Q How long have you been a resident of the Choctaw Nation?
A About thirty years.
Q Have you lived here continuously for the past thirty years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Tandy K. Walker.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Tandy K. Walker? A In '88.
Q Where was this marriage ceremony performed? A Oaklodge.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Judge Krebs.
Q Were you marriedunder a license? A No sir.
Q Were you ever married previous to your marriage to Tandy K. Walker? A No sir.
Q Was he ever married previous to his marriage to you? A Yes sir.
Q How many times? A Once.
Q What was the name of his former wife? A Agnes Hinch.
Q Was she dead at the time of your marriage to him? A No sir.
Q They had been separated? A They were separated.
Q Divorced? A Yes sir.
Q Where was this divorce granted them? A In the tribal courts.
Q Since your marriage to this man have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

- - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan.

Subscribed and sworn to before me this 29 day of January, 1903/

Charles Hathaway

Notary Public.

Mosholatubbee District,
Choctaw Nation.

In Circuit Court.

Be it remembered that on the 7th day of November 1887 it being the 1st monday in said month at Mosholatubbee court grounds in Gaines County, it being the time and place provided by law for the opening and holding of the Circuit Court in and for the First Judicial District of the Choctaw Nation, passed and approved November 6th, 1883. The Hon. Simon B. Lewis Judge, appeared and Robert Benton District Attorney, H.J. Kayser Clerk and William Bee high Sheriff of Gaines County also appeared. Whereupon solemn proclamation being made this Court is open for the dispatch of business. The Court being duly organized, han the following to wit-

Tuesday morning November the 15th, 1887. Cause No. 113

Tandy Walker
Vs. Divorce
Agness Walker

This cause coming on to be finally heard and proofs being sufficient it is therefore considered by the court that, the bonds of matrimony is hereby declared and dissolved and forever made null and void. And it is further ordered by the Court that the said plaintiff Tandy Walker be appointed Guardian for his children.

Given under my hand and seal of office this the 15th day of November 1887.

S. B. Lewis
Presideng Judge.

Attest.

H. J. Kyser
Circuit Clerk.

I hereby certify that the above and foregoing is a true and correct copy of the original case as found on the Circuit Court Records now on file in my office. This the 20th, day of December 1902.

T. J. Sexton
Circuit Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JAN 26 1903

ACTING CHAIRMAN.

Marriage.
Certificate.

of

Lana Walker
and
Miss Mattie Gill.

7-2773.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mattie Walker as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Mattie Walker (nee Gill) on August 13, 1888, was lawfully married to Tandy K. Walker, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as K. Tandy Walker, number 8129, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Mattie Walker should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
MAY 7 1903

Choctaw 2773

COPY.

Muskogee, Indian Territory, May 7, 1903.

Mattie Walker,

Spiro, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Register.
Rno MYC 13

COPY.

Muskogee, Indian Territory, May 7, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 7, 1903, granting the application of Mattie Walker for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Register.
Enc MYC 14

Nov 15th 1887.

Tuesday Morning 9 o'clock Court met pursuant to adjournment Jury called, jury present, minutes of previous day read, and approved, Court open and ready for business.

Case No 113 Sandy Walker
vs Petition for Divorce
Agnes Walker

[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 20 1903
ACTING CHAIRMAN.

7-2773-

[illegible] James Culberson
[illegible] and for the First Judicial
District, Choctaw Nation and custo-
dian of the Records, duly Commissioned
and appointed do hereby certify that
the above and foregoing [illegible] Divorce
No 113 [illegible] Walker [illegible] Walker
is full, true and correct and I further
certify that said Divorce is recorded
at pages 165, 167 and 169 of Minute Book
of said Court.

In testimony whereof
Witness my hand and seal as
such Clerk this 8th day of Dec. 1900.

James Culberson
Circuit Clerk
1st Dist.
C. N.

7-2773.

Muskogee, Indian Territory, January 21, 1903.

Mattie Walker,

Spiro, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 8th inst., enclosing a certified copy of the divorce proceedings between Tandy K. Walker and Agnes Walker; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Mattie Walker as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

7-3773.

Muskogee, Indian Territory, January 27, 1903.

Jas. D. Ward,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th inst., enclosing a certified copy of the divorce proceedings between Tandy Walker and his former wife, Agnes Walker; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment of Mattie Walker as an intermarried citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

2774 Fannie E. Grady Choc

2774

Choctaw 2774

Muskogee, Indian Territory, April 15, 1903.

Mrs. F. E. Grady,

Star, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of April 8, designating the numbers of the land you wish to select in allotment, and in reply you are advised that if you desire to select this land you will be permitted to make application therefor at the land office for the nation in which the land is located.

It appears from our records that you have been enrolled by this Commission as a citizen by blood of the Choctaw Nation and on January 17, 1903, your enrollment was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

7-2774

Muskogee, Indian Territory, October 13, 1903.

Horton & Brewer,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of October 5, asking for a certified statement that Fannie E. Grady, formerly Fannie E. Hendrickson, is a Choctaw Indian by blood and listed for enrollment as such.

In compliance with your request, there is enclosed you herewith a certificate showing that Fannie E. Grady, daughter of Henry Massey and Louisa Griffith, is enrolled as a citizen of the Choctaw Nation and that her enrollment as such has been approved by the Secretary of the Interior.

Respectfully,

Chairman.

Enc. F. H.--149

7-2774

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, Tams Bixby, Chairman of the Commission to the Five Civilized Tribes, do hereby certify that the name of Fannie E. Grady appears upon the partial roll of the citizens by blood of the Choctaw Nation, opposite number 8130, and that her enrollment as such was approved by the Secretary of the Interior January 17, 1903.

IN TESTIMONY WHEREOF, I hereunto set my hand at Muskogee, Indian Territory, this _____ day of October, 1903.

Chairman.

2775 Callie Allen Choc

2775

Richard M. Allen transferred from Choctaw
Docket #D-248 Oct 31, 1904

In the matter of the application for the enrollment of Richard M. Allen as a citizen by intermarriage of the Choctaw Nation.

7-D-248:

7-1-248.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory May 19, 1904.

In the matter of the application for the enrollment of Richard M. Allen as a citizen by intermarriage of the Choctaw Nation.

Harry G. Davis attorney for applicant.

Richard M. Allen being first duly sworn testifies as follows:

Examination by the Commission:

Q What is your name? A Richard M. Allen.
Q How old are you? A I am fifty-three I reckon, born in 1851.
Q Where do you live Mr. Allen? A In the Choctaw Nation when I am at home.
Q How long have you lived in the Choctaw Nation? A Since '82.
Q White man? A Yes, sir.
Q Claim no rights in the Choctaw Nation?as a citizen by blood do you? A By intermarriage.
Q With whom? A Callie Simcoe before we were married.
Q Is she a Choctaw by blood? A Yes, sir.
Q

Callie Simcoe through whom the applicant claims is identified upon field card No. 2775 and is numbered 8131 upon the lists prepared by this Commission and approved by the Secretary.

Q Did you have a tribal license Mr Allen? A Yes, sir.
Q There is on file with the records of the Commission, Mr. Allen, license and certificate between R. M. Allen, a white man,and Callie Simcoe, a Choctaw woman - is that R. M. Allen yourself? A Yes, sir.
Q Is that Callie Simcoe your wife the woman through whom you now claim? A Yes, sir.
Q When were you married to her? A '85 - February 19, 1885.
Q By whom were you married? A Judge Forrest.
Q What was he? A County judge.
Q Of what county? A Sans Bois.
Q Were you married before your marriage to Callie Simcoe? A Yes, sir.
Q How many times? A Once.
Q Was she a white woman? A Yes, sir.
Q Was she dead at the time of your marriage to Callie Simcoe? A Yes, sir.
Q Was Callie Simcoe married before her marriage to you? A No, sir.
Q Where were you living at the time of your marriage to Callie Simcoe? A Sans Bois.
Q How long had you lived there? A Three years.
Q How long had she been a resident of the Choctaw Nation? A All her life, born and raised there .

Q Since your marriage to Callie Simcoe in 1885 where have you lived? A In the Territory part of the time and part of the time in Arizona.
Q Have you and Callie Simcoe lived together as husband and wife from the date of your marriage to to the present time? A No, sir.
Q Separation? A Yes, sir.
Q When were you separated? A 1901.
Q What time of the year do you know? A In March.
Q Did you and she live together up to that time? A Yes, sir.
Q No separation, abandoment or divorce up to that time? A No, sir.
Q Did you live together in the Choctaw Nation? A Yes, sir.
Q Relate all you know about the separation between you and your wife in March 1901? A She said she had found some one else that she liked better and wished to separate from me.
Q Did she leave you or did you leave her? A She left me.
Q Where were you living at that time? A Near Star.
Q Did you have a house of your own? A Yes, sir.
Q Did you provide for her up to that time? A Yes, sir.
Q Did you provide for her after that? A I turned her over all our farms I had.
Q You mean the improvements on the farms? A Yes, sir.
Q What did she say when she left you? A She said she didn't care to spend her life with one man - she had found some one she liked better.
Q Did you obtain a divorce from her? A She obtained a divorce from me.
Q When? A She had applied for it and we made a settlement.
Q You lived together afterwards? A No, sir.
Q Were you divorced from her? A Yes, sir.
Q What county? A In Sans Bois.
Q In a tribal court? A Yes, sir, - in United States Court.
Q What was the ground that she obtained the divorce on? A Habitual drunkenness I believe was her plea.
Q Did you appear? A No, sir.
Q You were notified were you? A Yes, sir.
Q But you didn't appear? A No, sir.
Q Since the time of the separation have you lived in the Choctaw Nation? A No, sir.
Q Where have you lived? A Arizona, Mexico and Texas.
Q What were you doing in those places? A Nothing much.
Q Where was your home during that time? A I claimed the Territory as my home.
Q Since your marriage to Callie Simcoe in '85 have you made your home in any other place than in the Choctaw Nation up to and including September 25, 1902? A No, sir, had no permanent home, haven't considered that I was located.
Q Have you taken up your residence in any other place than in the Choctaw Nation since you were married to Callie Simcoe in 1885? A I am keeping house now in Texas.
Q When did you go there? A Abour one year ago.
Q I want to know up to September 25, 1902 - prior to September 25, 1902 did you make yourhome any where else than in the Choctaw Nation? A No, sir, I wasn't here at that time.

Q On September 25, 1902? A No, sir.
Q Where were you? A In old Mexico prospecting.
Q Since your divorce from Callie Simcoe have you remarried? A Yes, sir.
Q When? A In 1902.
Q When? A In May I think it was.
Q Whom did you marry? A Gertrude McMahan.
Q Is she a white woman? A Yes, sir.
Q Where did you marry her ? A Arizona.
Q Were you living in Arizona at that time? A No, sir.
Q Where were you living? A In Old Mexico at that time, I just went across the line.
Q Are you still living with that woman? A Yes, sir.

Examination by attorney Davis:

Q Where was your home on the 25th day of September 1902? A Old Mexico at x that time.
Q Was that your home your permanent residence? A I didn't consider it was, I was drifting around prospecting.
Q Where is your home at the present time? A Rushing Texas.
Q Do you own property there? A No, sir.

Examination by the Commission:

Q Were you a resident in good faith of the Choctaw Nation on June 28, 1898? A Yes, sir.
Q Do you expect to make your permanent in Texas? A I am coming to the Territory my children are all here.
Q You only apply for yourself today do you? A That is all.

Examination by attorney Davis:

Q Were you living in the Choctaw Nation when you were divorced from your Indian Wife? A I was away at that time.
Q When did you leave the Choctaw Nation? A 1901.
Q Did you leave with the intention of returning and making your home in the Choctaw Nation? A Yes, sir.
Q Have you at any time intended to change your residence from the Choctaw Nation? A No, sir.
Q How many children have you? A Five.
Q By your first wife? A Yes, sir.
Q Where do they live? A At the old home Choctaw Nation.

Examination by the Commission:

Q None of the children live with you? A None of them, no, sir.
Q None of them ever lived with you after you were divorced? A No, sir, they want to as soon as I come back.
Q Want to visit you is all I suppose? A No, sir, they want to live with me.
Q Which one is that? A I have a letter from the oldest boy, I have it in my pocket if you wish to see it.

Applicant offers letter referred to in evidence which is filed and marked "Exhibit A".

Examination by attorney Davis:

Q Has your Indian wife married since you were separeted? A Yes, sir.
Q When did she remarry? A I think she married in 1902.
Q Before or after yourmarriage? A I couldn't say which.

Witness excused.

Thirty days ~~in~~ time is allowed attorney for applicant in which to file a brief.

----o----

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas T. Difendafer

Subscribed and sworn to before me this 23rd day of May 1904.

Charles Hetherington

Notary Public.

State of Ind Ter-
Central Dist-

On this 13th day of June 1899 came before me a Notary Public J. S. Forrest and [illegible] being duly sworn says that he did issue Marriage license papers to W. M. Allen and Callie Sim[illegible] - While being Judge of the County Court of Sansbois County Choctaw Nation on the [illegible] day of February 1895 but through an oversight failed to attach his name to it but placed the seal of the Court to the paper - It was an error of mine

J S Forrest

Sworn to and subscribed before me this 13th June 1899

Wm B. Davidson
Notary Public

My Commission Expires
3 May 1903

Recorded on page
947 of the records
of Circuit Court 1st
Judicial Dist. on
Wm. G. Garland
Circuit Clerk
1st Judicial Dist

Same as the
Licence
W. G. Garland
Clerk

[illegible]
Little Rock Ark
March [illegible]

Claude Allen
Rushing Texas

Dear Cousin:

I guess you will surprise to hear from me for the first time since I have written to may I am in good health and improving in school very fast Hope this will find you all well and contented

I have been very disappoint since the disappeared of my father, and a feeling has come over me since that time he left my mother

I don't care any thing for
her but I do hope I can for
my self for he was a good
friend and was so kind to me
[illegible]
[illegible]
[illegible]

mother died it once struck
to mind of that missed
the most & dearest friend
to us & the pain but I
would not care to go for
I was ready to close in
about my head when I was
least prepared for the end.
[illegible]
[illegible]
[illegible]

Cranie, I know where
papa is tell him this; as
long as there is life of
hope for me to stand upon
this world I never will
put steps within the
walls of Mama's house
because she has brought
shamefulness upon my
name and I shall never
live to enter the yards
of her home as long as I live
I wish to live in a country
where she will never
hear from me nor put
her eyes within sight of
me. I have been
attentive to my mother,

She interests me. God
forbid her dear soul that
I should love a cruel
wicked mother that
should hate her son.
God forbid that the
slightest shadow of
dishonor should ever
fall upon my honored
head – least of all
through any agency
of mine. I hope you
are able to send me
away where she will
never hear of me. I
am willing to do any
thing you (please
just) will not go

home in June until
I am 22 years old.
You will like to see that
this [illegible] I tell
you once more I will
not go home to [illegible]
[illegible] If you
are unable to help me
I will make a living
[illegible] upon this earth
with some of my
school mates. I mean
I will go home with
[illegible] one but never
in Indian Territory.
What have you to say
papa?
Now Claude, I hope

7-D-248.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Richard M. Allen as a citizen by intermarriage of the Choctaw Nation.

-: D E C I S I O N :-

It appears from the census card record in this case that on June 15, 1899, Richard M. Allen appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of this application at Muskogee, Indian Territory, on May 19, 1904.

It appears from the record herein that on February 19, 1885, the applicant, Richard M. Allen, was married in accordance with the laws, customs and usages of the Choctaw Nation to Callie Allen (nee Simcoe) a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8131 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation; that they lived together as husband and wife continuously from the date of said marriage until their separation in March 1901; that thereafter the said Callie Allen obtained a divorce from the applicant who was subsequently in the year 1902 married to Gertrude Allen, a white woman, having no rights of Choctaw citizenship by blood; that the applicant had been a resident in good faith of the Choctaw Nation from the date of his said marriage to Callie Allen up to and including September 25, 1902, excepting that the applicant in 1901 left the Choctaw Nation and was temporarily absent in Arizona, Old Mexico and Texas, prospecting therein; but having at no time a fixed abode in either place; and that he had always regarded

the Choctaw Nation as his permanent home and intended to [illegible] return thereto and reside therein.

Upon an examination of the tribal rolls in the possession of the Commission the applicant is identified upon the 1896 Choctaw Census Roll, page 380, number 14250 as R. M. Allen, enrolled thereon as a citizen by intermarriage of said nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Richard M. Allen should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

OCT 12 1904

7-D-248.

Muskogee, Indian Territory, October 15, 1904.

Richard M. Allen,

Rushing, Texas,

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered, October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Registered.

Encl. 7-D-248.

7-D-248.

Muskogee, Indian Territory, October 15, 1904.

Harry C. Davis,

Attorney-at-Law,

Muskogee, Indian Territory.

COPY.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of Richard M. Allen for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said Richard M. Allen as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby.

Chairman.

Registered.

7-D-248.

Muskogee, Indian Territory, October 15, 1904.

J. O. Pool,

Attorney-at-Law,

Nocona, Texas.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of Richard M. Allen for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said Richard M. Allen as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby.

Registered.

Chairman.

7-D-248.

Muskogee, Indian Territory, October 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of Richard M. Allen as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, Richard M. Allen's name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) Tams Bixby.

Chairman.

Registered.

Encl. 7-D-248.

For registry receipt see 7-D-447.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES 7-D-248.

Muskogee, Indian Territory, October 15, 1904.

Richard M. Allen,

Rushing, Texas,

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered, October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Encl. 7-D-248.

Muscogee, Indian Territory,

August 18th, 190[illegible].

Allen M. Richard,

Starr, Indian Territory,

Dear Sir:

You are hereby notified that the Choctaw Nation, through its attorney, Messrs McKennon, Mansfield, McMurray, & Cornish, has filed with this Commission a notice of protest to your enrollment as a citizen of the Choctaw Nation.

The Commission, commencing December 3rd, 190[illegible], will hold a session at Atoka, Indian Territory. At that time both you and the Choctaw Nation will be permitted to offer additional testimony and written arguments in this case, and this hearing will be final.

Yours truly,

Acting Chairman.

7-[illegible]-24[illegible].

Muskogee, Indian Territory, November 7, 1900.

R. M. Allen,

Starr, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 2nd instant, in which you state that you have been notified by this Commission that your enrollment as a citizen by intermarriage of the Choctaw Nation has been protested by the attorneys of that Nation.

You ask that the Commission issue a summons for J. F Farris of Tamaha, Indian Territory, to appear at the session of the Commission at Atoka, December next, for the purpose of testifying as to your rights to citizenship in the Choctaw Nation.

You are informed that the Commission cannot issue subpoenas for the appearance of witnesses in behalf of any applicant for enrollment as citizens of the Choctaw Nation.

If you desire to have Mr. Farris testify in your behalf at the session of the Commission at Atoka next December it will be necessary for you to arrange with him for his appearance at that time.

Yours truly,

7-D-248

Acting Chairman.

7-D-248.

Muskogee, Indian Territory, February 26, 1903.

Richard M. Allen,

Starr, Indian Territory.

Dear Sir:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw nations April 1, 1903. The act of Congress approved July 1, 1902, provides:

"No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at this place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

9-D-95
9-D-329
9-D-453
9-D-248

Muskogee, Indian Territory July 11, 1903.

J. C. Poole,

Attorney at Law,

Nocona, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 6, asking the present status of the applications for enrollment of Nancy Folsum, Martha Brashiers, Dorcas Compton and her child and Mrs. Tom Collins.

In reply to your letter you are informed that it appears from our records that Dorcas Cumpton has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Chickasaw Nation, and her son Clarence C. McLish has been listed among the doubtful claimants to enrollment as a citizen by blood of the Chickasaw Nation, but their final rights to such enrollment have not yet been determined. As soon as a decision is reached in these cases the applicants will be notified of the action of the Commission.

It further appears from our records that Martha M. Brashears and Nancy Folsom have been listed among the doubtful claimants to enrollment as intermarried citizens of the Choctaw Nation but their final rights to such enrollment have not yet been deter-

mined. As soon as decisions are reached in these cases the applicants will be notified of the action of the Commission.

You are informed that you do not state the christian name of Mrs. Tom Collins and it is therefore impracticable to give you any information relative to her enrollment.

Respectfully,

Commissioner in Charge.

Choctaw D 248

Muskogee, Indian Territory, May 9, 1904.

Richard L. Allen,

Rushing, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 4, asking what steps it will be necessary for you to take in the matter of your enrollment as an intermarried citizen of theChoctaw Nation before you appear at the land office.

In reply to your letter you are advised that the Commission has not yet passed upon your application for enrollment as an intermarried citizen of the Choctaw Nation, and before further consideration can be given the same it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, to testify relative to your status as an intermarried citizen of the Choctaw Nation on September 25, 1902, the date of the final ratification by the Choctaw and Chickasaw Nations of the act of Congress approved July 1, 1902.

Respectfully,

Chairman.

Choctaw D 248

Muskogee, Indian Territory, June 23, 1904.

Harry G. Davis,
Attorney at Law,
Muskogee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 3, in which you ask for a copy of the testimony of Richard M. Allen, taken May 19, 1904, and in compliance with your request there is inclosed you herewith copy of such testimony, together with receipt therefor which please sign and return to this office.

There is also returned you letter of R. M. Allen, inclosed with your communication.

Respectfully,

Commissioner in Charge.

AB 4-23

7-3775

Muskogee, Indian Territory, November 12, 1904.

R. M. Allen,

Madill, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of November 9, 1904, in which you ask what will become of the papers on file in your citizenship case since your case has been passed upon favorably.

In reply to your letter you are informed that the papers filed by you in support of your application for enrollment as a citizen of the Choctaw Nation are on file with the Commission and your name has been placed upon a schedule of citizens of the Choctaw Nation prepared and forwarded to the Secretary of the Interior but the Commission has not yet been advised of Departmental action thereon.

Respectfully,

Chairman.

7-D-248

Muskogee, Indian Territory, January 17, 1905.

Fedbetter & Bledsoe,

Attorneys at Law.

Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of January 10, 1905, asking the present status of the application of Nancy Pulsom for citizenship in the Choctaw Nation.

In reply to your letter you are informed that there are several persons by the name of Nancy Pulsom upon our records and before definite information can be given you it will be necessary for you to state the age of the person to whom you refer, the names of her parents, the names of her husband and children, if any, and whether she claims rights as a citizen by blood or intermarriage of the Choctaw Nation. The matter will then receive further consideration.

Respectfully,

Chairman.

Choctaw 2775.

Muskogee, Indian Territory, April 12, 1905.

Thomas A. Fitzgerald,

Keota, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Maud Fitzgerald and L. J. Smith to the birth of Mable Fitzgerald, daughter of Thomas A. and Maud Fitzgerald, July 11, 1904, and the same have been filed with our records as an application for the enrollment of said child.

Respectfully,

Commissioner in Charge.

7-2775

Muskogee, Indian Territory, May 15, 1906.

Richard M. Allen,

Ryan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 10, 1906, in which you state that you are an intermarried citizen of the Choctaw Nation and have two children by your last wife who is a white woman and you desire to be informed if these children will be enrolled.

In reply to your letter you are advised that under a recent opinion of the Attorney General white children of intermarried citizens of the Choctaw and Chickasaw Nations are not entitled to enrollment and allotment in either nation.

Respectfully,

Acting Commissioner.

2776 William W. Daggs Choc

Mollie Daggs Transferred from Choctaw Jocket D# 678
10-31-04

James M. Daggs Transferred from Choctaw Jocket R# 72
10-31-04

2776

7-R-72.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

Record in the matter of the applicationfor the enrollment as a citizen by intermarriage of the Choctaw Nation of:

J A M E S M. D A G G S.

-----:-----

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby [illegible] my official [illegible] as stenographer [illegible] Commission, that this transcript is a [illegible] and correct translation of my stenographic notes.

Commission to the Five Civilized Tribes,

Tushkahomma, Indian Territory.

October 10,18[illegible].

In the enrollment of James M. Daggs as an intermarried Choctaw; being sworn and examined by Com'r McKennon he states:

Q What is your name? A James M. Daggs.

Q How old are you? A Fifty-two.

Q Are you a white man? A Yes sir.

Q You claim to have intermarried with a Choctaw citizen?

A Yes sir.

Q What was her name? A Amanda Merryman.

Q Was she a full-blood Choctaw? A About one-eighth I suppose.

Q She was a recognized citizen was she? A Yes sir.

Q When were you married to her? A January 15th 1874.

Q Where? A On the edge of Cedar Prairie, Skullyville County Choctaw Nation.

Q Did you obtain any license at that time? A There was no license.

Q How did you marry her? A A Circuit Rider of Skullyville District married me, that was all; we just went before a preacher and he said the ceremony.

Q Is she living yet? A No sir, she has been dead thirteen years.

Q Did you live with her until she died? A Yes sir.

Q Have you married again? A No sir.

Mary C. Gregory being sworn and examined states:

Q What is your name? A Mary C. Gregory.

Q How old are you? A Fifty.

Q Do you know James M. Daggs? A Yes sir.

Q He is a white man? A Yes sir.

James M. Daggs- Mary C. Gregory witness- #2)

Q Did you know his wife? A Yes sir.

Q What was her name? A Amanda Merryman.

Q She was a sister of yours? A Yes sir.

Q Was she a Choctaw citizen? A Yes sir.

Q Recognized as such? A Yes sir.

Q How did he marry her, were you present at the marriage?

A Yes sir.

Q How did he marry her? A Just went before a preacher and was married by him.

Q He lived with her until her death? A Yes sir.

Q He hasn't married since? A No sir.

Com'r McKennon: (To applicant): As you did not comply with the Choctaw law in force at the time of your marriage, your enrollment will be refused .

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Department of the Interior
Commission to the five civilized tribes
Muskogee, Indian Territory, November 13th, 1901.

In the atter of the application of James M. Daggs for enrollment as a citizen of the Choctaw Nation. Applicant being represented by Townsend N. Foster his attorney.

Attorney for applicant: I offer the following permits in evidence granted by the County Court of Skullyville County to the applicant for the employment of James Oliver in the year 1900. Made in the usual form and signed by John Taylor, county judge. Also the permit to employ John Acorn in the usual form and signed Jerry Fulsom County Clerk of Sansbois County. Also permit to employ Tom Pitchford in 1889. Also permit signed by Solomon McGilbry County Judge, Sansbois County to employ J. J. Wright in the year 1892. Also permit signed by Jerry Fulsom, County Judge of Sansbois County to employ D. C. Miers as a renter. Also permit signed by W. G. Garland, County Judge, Sansbois County, in January 1895, authorizing the applicant to employ D. C. Miers, all of which permits recognize the applicant as a citizen of the Choctaw Nation and are introduced for the purpose of showing such recognition by the lawful authorities of the Choctaw Nation, to the end that it may appear that he is even now recognized by the authorities of the Choctaw Nation as a citizen, a permit for the year 1900 being the latest one issued.

The permits offered in evidence by the attorney for the applicant are accepted, filed and made a part of the application.

James M. Daggs, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A James M. Daggs .
Q How old are you? A I was born in '47. I will be fifty-four I believe its the 19th of this month.
Q You are a white man? A Yes sir.
Q Been married to a Choctaw woman? A Yes sir.
Q What was her name? A Amanda Merryman.
Q You married her on the 15th of January, 1874, did you not?
A Yes sir.
Q Did you ever obtain a license from the tribal authorities of the Choctaw Nation to marry this woman? A No sir, I did not.
Q Did you ever obtainany license? A No sir.
Q How were you married? A I was married by the circuit rider of Skullyville District.
Q There was never any marriage in conformity to the laws of the Choctaw Nation? A No sir.
Q At the time you were married to Amanda Merryman there was in force in the Choctaw Nation an act of the Choctaw Council of October, 1840, which is as follows:

" Be it enacted by the General Council of the Choctaw Nation assembled, that no white man shall be allowed to marry in this Nation, unless he has been a citizen (evidently meaning a resident (, of this Nation for two years.

And be it further enacted that he shall be required to procure a license from some judge or district clerk and be lawfully married by a minister of the gospel, or some other authorized person, before he shall be entitled and admitted to the privileges of citizenship.

And be it further enacted, (That) should any officer or minister of the gospel who are authorized by law to marry in this Nation perform such marriage ceremony not agreement to this act, (he) shall be made to pay a fine of one hundred dollars for each offense and the money shall be put into the district treasury in which such marriage ceremony may have taken place.

And be it further enacted, That no white man who shall marry a Choctaw woman shall have the disposal of her property without just provocation shall forfeit and pay over to this wife the such sum or sums as may be adjudged to her by the District Courts for said breach of marriage contract, and be deprived of citizenship/"

Q Did you attempt at the time you married Amanda Merryman to obtain a Choctaw license from the tribal authorities? A I did not. It was a customary thing for people just to go to the preacher, the circuit rider, and get married. Didn't know anything about the marriage licenses.

By Townsend N. Foster, attorney for the applicant.

Q Now, Mr. Daggs, have you been recognized as a voter in the Choctaw elections? A I have voted ever since '74. I was married the first of the year. I voted for Tom Ainsworth when he first represented his county and I voted for everyone of the Mc Curtains. For the governors.

Q Did you vote at every election? A I might have missed one or two elections since I have been in the Territory but that was just because I didn't go.

Q You have resided in the Territory continuously since your marriage in 1874? A Yes sir.

Q And you voted at all elections or nearly all elections up to the time that you were refused enrollment by Captain McKennon?

A Yes sir.

Q Since that time have you offered your vote? A I never went.

Q Has your vote ever been refused by the Choctaw authorities?

A It never was.

Q Has your citizenship of the Choctaw Nation by intermarriage ever been denied you by the Choctaw authorities? A No sir.

Q Has there ever been any attempt on the part of the Choctaws to have you striken from the roll? A Not that I know of.

Q Are you today recognized by the Choctaw authorities as an intermarried citizen of the Choctaw Nation? A They grant permits under me and men that are married at McAlester they grant the permits to their wives. That is the difference they make.

Q I understand you to say that white men who are married to Choctaw women under license issued by the United States Clerk at South McAlester and who apply for permits under them, that the permits are only granted to the wife?-AIn the wife's name/.

But in your case the permits are and always have been granted to you? A Yes sir.

Q What is the first money that you drew in any, in the Choctaw payments? A The first money I ever drew was the Loyalty

claim at Fort Smith. It was paid out at Fort Smith by McCurtain and Campbell Leflore, prosecuting attorney. That has been fifteen years ago I reckon.

Q This loyalty money was for claims made for property destroyed during the civil war was it not? A Yes sir.

Q Now in whose right was the money paid to you, who did you get it for? A For my wife. She was dead at the time and of course they paid the money to me for the children.

By the Commission.

Q Wasn't the Loyalty Payment a civil action that was instituted in the courts for the satisfaction of certain claims of property that had been destroyed irrespective of any rights to citizenship in the Choctaw Nation? A I don't understand that.

Q The Loyalty payment was paid by a judgment of the court for the destruction of certain property - it was not a percapita payment made to the citizens of the Choctaw Nation by the government? A Yes sir the government paid it.

Q The United States government paid it for property that had been destroyed at the time of the war? A Yes sir.

Attorney for applicant.

Q Just let the record show if you please that the money was paid out by McCurtain and Campbell Leflore.

By the Commission.

Q Did you receive this money yourself? A Yes sir.

Q How much was it? A $97.25, I believe.

Q Who did you receive it for? A For my children, I would suppose.

Q Was that their prorata part of a payment made to the citizens of the Choctaw Nation? A Yes sir, it was made to the citizens, I suppose.

Q Did every citizen of the Choctaw Nation who was recognized at that time, receive the same amount of money as your children?

A Oh, no.

Q Wasn't the payment made to certain citizens of the Choctaw Nation whose property had been destroyed by the United States government? A Yes sir.

Q Some families received certain sums and other families, other sums? A I think so.

Q There was no specific per capita payment of funds made to the citizens of the tribe? A Not that I know of.

Attorney for the applicant.

Q Now, did you draw any money from the Leased District fund? A Yes sir.

Q Where did you draw it? A I drawed at Wilburton. I was registered at Hartshorne.

Q I don't care to go further than that. You have that record there and it shows the fact as he stated is.

By the Commission.

Q Did you draw the leased district fund for yourself? A No sir.

Q The Leased District payment of 1893 was to the citizens by blood? A Yes sir.

Q And you are a white man? A Yes sir.
Q And you drew as the husband of a Choctaw woman and the father of Choctaw children? A Yes sir.
Q No payment was made to you? A No sir. None of the white citizens.

Attorney for applicant.

I would like to have the record show the record of that payment show the fact as he states it.

The Commission.

It seems to me it would be immaterial as any white man was authorized by power of attorney to draw money for Choctaw Children. We can show that his children received the Leased District money but it seems to me that it is immaterial.

Attorney for applicant.

Q Did you have any power of attorney or any papers from these children authorizing you to draw that money? A No sir.

The Commission.

Q The children at the time of this payment were all minors were they not? A Yes sir.
Q And their Choctaw mother was dead? A Yes sir.
Q And you were their natural guardian and protector? A Yes sir.

Attorney for applicant.

Q When were you first placed upon a roll of citizenship of the Choctaw Nation so far as you know? A I have been on every roll. When they would come round and take the census. I was put on every roll.
Q You state that you have been on every roll of the Choctaw citizens as an intermarried citizen? A Yes sir.

The Commission.

Q On what special census roll? A I don't understand that.
Q You stated that you have been on every roll? A Every one that I know about.
Q Which ones do you know about? A Twenty-one years ago, I was living in Townson County north of the Kiamitia River; and I was put on the census roll in the Chickasaw country. I went over there and staid a year or two twelve years ago. That's Pontotoc County, Chickasaw Nation. I have set on the jury.

Attorney for applicant.

Q Stick to your rolls until you get through naming them. What was the next roll you were put on? A I don't remember just when it was.
Q Where were you living at the time? A I have been put on the roll since I have been living here in Sanabois County but I don't remember just what time.
Q Is that the last roll that you know of made by the Choctaw Nation? A I was put on the roll of '96.
Q Where were you living at that time? A Living on the

Arkansas River twelve miles below the mouth of the Canadian where in live now.

Q In what county? A Sansbois County.

Q That is the last roll? A Yes sir.

Q Now about you sitting on juries, how about that? A I have sat on the jury.

Q In what court? A Choctaw courts.

Q Where? A In Lowson County close to old Doaksville.

Q Did you make application in 1896 for enrollment as an intermarried citizen and if not, why did you not do it at that time?

A In 1896?

Q Yes sir, in 1896. A Before the Commission?

Q Yes sir, the Dawes Commission. A I went before the Commission and they claimed that I needed two witnesses that seen me married and that is the reason I took my sister with me and went to Tushkahomma . So I taken her there and went to Tushkahomma.

Q Do you mean that you went before the Commission as early as 1896? A No it wasn't that early.

Q That's what I asked you. Why you didn't make application in 1896. Was it because you were a recognized citizen or what? A They had always recognized me and I didn't know I had any right to go.

Q Then you didn't go at that time for the reason that you were a recognized citizen and didn't suppose it was necessary for you to make application for enrollment? A Yes sir.

Witness excused.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 13th day of November, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 15th day of November, 1901.

Acting Chairman.

No. 204

Tom Pitchford Rent

Under

James Daggs Employer

Attorney [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

[signature] ACTING CHAIRMAN

PERMIT.

Choctaw Nation, County of Sans Bois.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING.

KNOW YE, that I Jerry Folsom, County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation do hereby grant unto Tom Pitchford a citizen of the United States, a permit to remain in this Nation as a Hunter under the employ of James Daggett during the year 1889, with the right and privilege of conducting such as long as the said Tom Pitchford shall obey the laws and regulations of said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits; and during good behavior.

Given under my hand this 6 day of May 1889

County Judge.

ATTEST:

Wallace Bond County Clerk.

No. 21

John Acorn Roll

James Daggs Employed

Attorney $ 00

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

Choctaw Nation, County of Sans Bois.

To All and Single to whom these Presents shall come, Greeting.

KNOW YE that I Jerry Nelson County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation do hereby grant unto John Adams a citizen of the United States, a permit to remain in this Nation as a Cattle under the employ of James Riggs during the year 1880, with the right and privilege of conducting such as long as the said John Adams shall obey the laws and regulations of said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto, not contrary to the rules and regulations respecting and governing persons obtaining permits, and during good behavior.

Given under my hand this 6 day of May 1880

County Judge.

ATTEST:

Wallace Bond County Clerk

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

Choctaw Nation, County of Sans Bois.

To all and Singular to whom these Presents shall come, Greeting:

KNOW YE, that I Jerry Folsom, County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation do hereby grant unto D. C. Myers a citizen of the United States, a permit to remain in this Nation as a Hostler under the employ of James Dagg during the year 188 4, with the right and privilege of conducting such as long as the said D. C. Myers shall obey the laws and regulations of said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits; and during good behavior.

Given under my hand this 6 day of May, 188 4.

Jerry Folsom, County Judge.

ATTEST:

Wallace Bond, County Clerk.

No

Rentee

Under

Amount, $

189

ELEVATOR [illegible] FORT SMITH

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

CHOCTAW NATION, COUNTY OF SANS BOIS.

To all and singular to whom these Presents shall come, Greeting:

KNOW YE, that I, W. G. GARLAND, County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation, do hereby grant unto

, a citizen of the United States, a permit to remain in this Nation as a renter, under the employ of , during the year 189 , with the right and privilege of conducting such as long as the said shall obey the Laws and regulations of said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits; and during good behavior.

Given under my hand this day of 189 .

ATTEST: W. G. GARLAND, County Judge.

, County Clerk.

No. [illegible]

[illegible] Reatee

UNDER

[illegible]

Amount $ [illegible]

1896

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

Choctaw Nation, County of Sans Bois.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING.

KNOW YE THAT I, ~~TURNER McGILBERRY~~ John Taylor, County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation, do hereby grant unto [illegible], a citizen of the United States, a permit to remain in this Nation as a renter, under the employ of [illegible] during the year 189[illegible], with the right and privilege of conducting such as long as the said [illegible] shall obey the laws and regulations of said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits; and during good behavior.

Given under [illegible] day of [illegible] 189[illegible]

ATTEST:

[illegible] County Clerk.

TURNER McGILBERRY,

John Taylor

COUNTY JUDGE.

No.

Renter

Under

Employer

Amount

Date

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

CHOCTAW NATION, COUNTY OF SANS BOIS.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Know ye, that I, ... *County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation, do hereby grant unto* ..... *a citizen of the United States, a permit to remain in this Nation as a* ..... *under the employ of* ..... *during the year of 189* ..., *with the right and privilege of conducting such as long as the said* ..... *shall obey the laws and regulations of the said Choctaw Nation in regard to non-citizens residing therein, not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits; and during good behavior.*

Given under my hand this ... *day of* ..... *189* ...

ATTEST: ..... *County Judge.*

..... *County Clerk.*

ARTIST PRINTER, FORT SMITH, ARK.

No.

Renter

Under

Employer

Amount

Date

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1901

ACTING CHAIRMAN

PERMIT.

CHOCTAW NATION, COUNTY OF SANS BOIS.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Know ye, that I, _____ *County Judge of Sans Bois County, Choctaw Nation, by virtue of authority vested in me by the laws of said Nation, do hereby grant unto* _____ *a citizen of the United States, a permit to remain in this Nation as a* _____ *under the employ of* _____ *during the year of 189__ with the right and privilege of conducting such as long as the said* _____ *shall obey the laws and regulations of the said Choctaw Nation in regard to non-citizens residing therein not inconsistent with existing treaties and laws of the United States relating thereto; not contrary to the rules and regulations respecting and governing persons obtaining permits, and during good behavior.*

Given under my hand this _____ *day of* _____ *189__*

ATTEST: _____ *County Judge.*

_____ *County Clerk.*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAY 20 1902

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 20 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 20 1902

ACTING CHAIRMAN

Abey S. [illegible]

[illegible]

Abey S. Smith

[illegible]

A. L. Nolen
Notary Public

my Commission expires Dec 2[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 20 1902

ACTING CHAIRMAN.

Pink Nelson being first duly sworn upon his oath says I am acquainted with James M. Daggs and have known him about 18 years. I was present at San Bois Court House in Choctaw Nation in the summer of 1896 when the Choctaw Authorities were making a roll. Simon Johnson was the enrolling Officer. I saw Simon Johnson enroll the name of James M Daggs as an intermarried citizen of the Choctaw Nation. Daggs has always been recognized as a citizen of the Choctaw Nation and is now so recognized and considered by his neighbors. I know he was put on the roll of 1896 as above stated by the proper authorities of the Choctaw Nation

W P Nelson

Subscribed and sworn to before me this 15th day of March 1902

J N Foster
Notary Public

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 24th, 1902.

Choctaw R-72
Intermarried

----------oOo----------

In the matter of the application of James M. Daggs for enrollment as an intermarried citizen of the Choctaw Nation.

James M. Daggs being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A James M. Daggs.
Q How old are you? A Fifty-five.
Q What is your post office address? A Sailor.
Q Where is that? A Sans Bois County.
Q How long have you resided in the Choctaw Nation? A I have been in the Choctaw Nation ever since '72.
Q Have you lived here continuously since '72? A Yes sir.
Q Are you a white man? A Intermarried citizen.
Q You are a white man, though, aren't you? A Yes sir.
Q Claim to be an intermarried citizen of the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife? A Amanda Merryman.
Q Is she a recognized citizen by blood of the Choctaw Nation?
A Yes sir.
Q Recognized member of the tribe? A Yes sir.
Q Always recognized by the tribal authorities? A Yes sir. She was born and raised at Skullyville.
Q When was you married to her? A '74.
Q Ever married before that? A No sir.
Q She ever married before that? A No sir.
Q Married to her in accordance with the tribal laws of the Choctaw Nation? A Well, I suppose it was at that time; we was married by a lawful minister.
Q Did you obtain a tribal license? A No sir.
Q Did you ever obtain a tribal license to marry this woman?
A No sir.
Q Who married you? A Parson Smith.
Q When was that marriage? A '74, January 15th.
Q How long did you live with this woman? A She lived about thirteen years.
Q You lived with her until her death? A Yes sir.
Q Any separation? A No sir.
Q Have you remarried since her death? A No sir.
Q Still a widower? A Yes sir.
Q There was never any tribal license obtained to marry this woman?
A No sir.
Q You have been recognized by the tribal authorities as an intermarried citizen? A Yes sir.

James M. Daggs----2

The name of the applicant appears upon the 1896 census roll of the citizens of the Choctaw Nation as a citizen by intermarriage, Sans Bois County, No. 14,452.

By A. S. McKennon:

Q You say you have been recognized always as an intermarried citizen have you voted in their elections all the way through? A Yes sir, always, when I went; I haven't went now since Governor McCurtain was elected the first time.
Q You haven't attended the elections since? A No sir.
Q You haven't been denied the right to vote? A No sir.
Q Have you served on juries in this court? A Yes sir.
Q Ever tried your cases in that court? A I never had any cases to try.

- - - - - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 24th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 12" day of January, 1903.

Charles H. Sawyer
Notary Public.

West

F.O.B.
060

7-R-72.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

In the matter of the application for the enrollment of James M. Daggs as a citizen by intermarriage of the Choctaw Nation.

-----:-----

D E C I S I O N.

-----:-----

It appears from the record in this case that James M. Daggs appeared before the Commission at Tuskahoma, Indian Territory, October 10, 1899, and made personal application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation; that on November 13, 1901, at Muskogee, Indian Territory, and on December 24, 1902, at South McAlester, Indian Territory, further proceedings were had in the matter of said application.

It appears from the evidence in this case that on the fifteenth day of January, 1874, the applicant, James M. Daggs, who is a white man and possessed of no Choctaw blood, was married in accordance with the customs and usages of the Choctaw Nation in force at that time, to Amanda Merryman, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears upon the 1885 Choctaw Census Roll, Sans Bois County, number 489; that said persons lived together as husband and wife until the death of the latter, about thirteen years later; and that the applicant herein had not remarried up to and including September 25, 1902.

It is further shown, by the evidence in this case and the records in the possession of the Commission, that the applicant, James M. Daggs, has, since his said marriage to Amanda Merryman, been recognized and enrolled by the tribal authorities of the Choctaw Nation as a citizen of said Nation, being identified as "James Daggs" from the Choctaw Census Roll of 1885, number 488, and also from the Choctaw Census Roll of 1896, number 14452, as an intermarried citizen.

It further appears that this applicant was a bona fide resident of the Choctaw Nation on January 15, 1874, and remained a resident in good faith of said Nation up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that the application for the enrollment of James M. Daggs as a citizen by intermarriage of the Choctaw Nation should be granted under the provisions of Section 21 of the act of Congress approved June 28, 1898 (30 Stat., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

OCT 15 1904

7-R-72.

Muskogee, Indian Territory, October 15, 1904.

COPY.

James M. Dagge,

Sailor, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Encl. 7-R-72.

7-R-72.

COPY.

Muskogee, Indian Territory, October 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission, rendered October 15, 1904, granting the application for the enrollment of James M. Daggs as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Registered. For registry receipt see 7-R-72.

Encl. 7-R-72.

7-R-72.

COPY.

Muskogee, Indian Territory, October 15, 1904.

W. F. Harrison,

Poteau, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 190-, rendered its decision granting the application of James M. Dagg for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said James M. Dagg as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Registered.

Chairman.

7-R-72.

Muskogee, Indian Territory, October 15, 1904.

Townsend M. Foster,

Attorney-at-Law,

South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on October 15, 1904, rendered its decision granting the application of James M. Dagge for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said James M. Dagge as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Registered. Chairman.

7-D-678.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----:-----

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

M O L L I E D A G G S.

-----:-----

Department of the Interior
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, November 11, 1901.

In the matter of the application of Mollie Daggs for enrollment as a citizen by intermarriage of the Choctaw Nation. Mollie Daggs being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Mollie Daggs.
Q How old are you? A Twenty-one.
Q What is your post-office address? A Ada.
Q Where is that? A In the Chickasaw Nation.
Q Indian Territory? A Yes sir.
Q How long have you lived in the Indian Territory? A Been living in the Chickasaw Nation since June.
Q Since June you have been living in the Chickasaw Nation?
A Yes sir.
Q Where did you live before that? A In the Choctaw Nation.
Q How long did you live in the Choctaw Nation? A Six year.
Q Where did you live before that? A Texas.
Q Were you born in Texas? A No sir.
Q Where were you born? A In the Cherokee Nation.
Q How longndid you live in the Cherokee Nation? A I don't know how long I lived there.
Q How old were you when you left the Cherokee Nation? A I oouldn't tell you.
Q About how old? A About a year old.
Q What is your father's name? A Baity Simpson.
Q Is your father living? A No sir.
Q What is your mother's name? A Betty Simpson.
Q Is your mother living? A No sir.
Q How long have your father and mother been dead? A Mother's been dead eleven years and father been dead twelve years.
Q Were your father or mother either of them citizens of the Cherokee Nation? A No sir.
Q They were both white people? A Yes sir.
Q Did they ever make any claim to citizenship in any of the Five Tribes in the Indian Territory? A No sir.
Q Have you ever made application for citizenship by blood in any of the Five Tribes in the Indian Territory? A No sir.
Q You are a white woman? A Yes sir.
Q You are making application for enrollment by this Commission as a citizen by interma riage of the Choctaw Nation? A Yes sir.
Q What is your husband's name? A Wallace Daggs.
Q Is that the only name he has? A Wallace William Daggs, I guess.
Q How old is he? A Twenty-five .
Q Where does he live? A In the Chickasaw Nation at Ada.
Q How long has he been living in the Chickasaw Nation? A Three years.
Q Do you know his father's name? A Yes sir.
Q What is it? A James Daggs, I think.
Q Do you know his mother's name? A No sir.

It appears from the records of the Commission that William Wallace Daggs, 22 years of age, and the son of James M. Daggs, a non citizen white man and Amanda Daggs, a citizen of the Choctaw Nation, was listed for enrollment bythis Commission as a Choctaw

citizen on June 5, 1899 and his name appea rs upon Choctaw roll card, field No. 2776.

Q When did you marry William Wallace Daggs? A The 16th of June.
Q Whatyear? A 1901.
Q This present year? A Yes sir.
Q Were you ever married before? A No sir.
Q Was he ever married before he married you? A No sir.
Q Where were you married? A In the Choctaw Nation.
Q Where? A About five miles below Tamaha.
Q Who married you? A Preacher Culver.
Q Have you your marriage license and certificate? A Yes sir.

There is offered in evidence, marked exhibit "A" filed and made a part of the record in this application, marriage license issued by E. J. Fannin, Clerk United States Court, Central District, Indian Territory to W. W. Daggs of Ada, Indian Territory, to marry Miss Mollie Simpson of Tamaha, Indian Territory, The same being dated June 11, 1901. Attached thereto is the certificate of A. M. Culver as to the marriage of W. W. Daggs and Mollie Simpson of the 16th day of June, 1901.

Q Your husband obtained this license from the United States Court at South McAlester? A Yes sir.
Q Were you ever married in accordance with a license issued by the tribal authorities of the Chickasaw Nation. A I reckon so. I don't know.
Q Do you understand that question? A No sir.
Q This is the only license you were ever married under, is it not? A Yes sir.
Q Were you ever married under a license issued by the tribal authorities of the Chickasaw Nation? A No sir.
Q Was your husband at the time of his marriage to you a resident of the Chickasaw Nation? A Yes sir.
Q How long before his marriage had he been living in the Chickasaw Nation? A About three years .
Q On December 18, 1899, the President of the United States approved an Act of the National Legislature of the Chickasaw Nation of November 3, 1899, as follows:

"That before a non-citizen can procure a license to marry a citizen of this Nation, he or she shall be of good moral character and industrious habits, and shall have resided in the county where such marriage license is sought to be procured, for a period of two years immediately preceding such application, and shall be recommended by ten good and responsible citizens by blood of this Nation; and such citizens shall certify that the applicant is of good moral character and industrious habits, and has resided in the county where such license are sought to be procured for a period of two years immediately preceding such application; and the county judge being satisfied with the petition shall grant the license to marry under the existing law, and the person so applying for such marriage license shall pay the sum of one thousand dollars, five of which shall be retained by the County Judge issuing such license, and nine hundred ninety-five dollars shall be placed in the national treasury of the Nation for national purposes; and that this act take effect from and after its passage and the approval by the President

of the United States."

Q Did your husband ever attempt to obtain from the tribal authorities of the Chickasaw Nation for the county ~~in~~ of which he was a resident, a license to marry you in accordance with the tribal laws of the Chickasaw Nation? A I don't understand you.

Q You stated that you had been married only under this license that had been issued by the Clerk of the United States Court at South McAlester. Now, did your husband ever attempt to obtain from the tribal authorities of the Chickasaw Nation for the county of which he was a resident, a license to marry you in accordance with the tribal laws of the Chickasaw Nation? A I couldn't say.

Q Are you still living with William Wallace Daggs? A Yes sir.

Q Never have separated from him since the marriage? A No sir.

Witness excused.

William Wallace Daggs being first duly sworn testified as follows:

Q What is your name? A William Wallace Franklin Daggs is my full name.

Q How old are you? A Twenty-five.

Q What is your post-office address? A Ada, Chickasaw Nation.

Q Are you the husband of this applicant Mollie Daggs? A Yes sir.

Q You are now a resident of the Chickasaw Nation? A Yes sir

Q How long have you been such a resident? A I went there about three years ago.

Q You married this woman, Mollie Simpson, under a license issued by the clerk of the United States Court for the Central District at South McAlester, did you not? A Yes sir.

Q Did you ever attempt to secure from the tribal authorities of the Chickasaw Nation for the county of which you were a resident a license to marry her in accordance with the tribal authorities of the Chickasaw Nation? A I did not.

Q You are still living with this woman are you? A Yes sir.

Q Have you ever been married before? A No sir.

Q The only marriage that has ever been performed was the marriage ~~xxxxxx~~ under the United States license? A Yes sir.

Witness excused.

Applicant, Mollie Daggs, recalled.

The decision of the Commission as to your application for enrollment as a citizen by intermarriage of the Choctaw Nation will be determined at the earliest possible date and you will be notified of such action as the Commission may take.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 11th day of November, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceed ings on said date.

Myra Young

Subscribed and sworn to before me this 14th day of November 1901.

Notary Public.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
ALDISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Choctaw D-678.

Muskogee, Indian Territory, March 5, 1902.

Mollie Daggs,

Ada, Indian Territory.

You are hereby notified that the application of yourself for enrollment as a citizen of the Choctaw Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15th day of April, 1902.

On said date you may, if you desire, appear before the Commission in person or by attorney when an opportunity will be given you to introduce any additional testimony affecting said application which you may think proper or necessary.

You are further notified that the representatives of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

T. B. Needles.

Register.

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 15, 1902.

In the matter of the application of **Mollie Daggs** for enrollment as a citizen by intermarriage of the Choctaw Nation.	D-678.

On the 5th day of March, 1902, the applicant was notified by registered mail and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nationswere also notified by registered mail that the application of Mollie Daggs for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 15th day of April, 1902, for final consideration.

Now on this 15th day of April, 1902, this cause coming on to be heard pursuant to said notice, the Choctaw Nation failed to appear, and the applicant, being called, failed to appear either in person or by attorney.

Hal Belford, being first duly sworn, upon his oath states that as stnographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on April 15, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of April, 1902.

Hal Belford

Subscribed and sworn to before me this 18 day of April, 1902.

Notary Public.

Choctaw, D. 678.

Department of the Interior,
Commission to the Five Civilized Tribes.
Ada, I. T., November 11, 1902.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of Mollie Daggs.

Mollie Daggs being duly sworn testifies as follows:

Examination by the Commission.

Q Your name is Mollie Daggs? A Yes sir.
Q How old are you? A Twenty-two.
Q What is your post office address? A Ada,
Q How long have you lived in the Chickasaw Nation? A About 17 months.
Q Lived here continuously for that time? A Yes sir.
Q Where before that? A Choctaw Nation.
Q How long did you live in the Choctaw Nation? A About 6 years.
Q Are you an applicant for enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Indian husband throughwhom you claim these rights? A I dont know.
Q Dont you know his name? A William Wallace Daggs I guess.
Q Is he a recognized citizen of the Choctaw Nation? A Yes sir.
Q His rights have never been questioned? A I dont know.
Q Not that you know of? A No sir.
Q When were you married to William Wallace Daggs? A 16th of last June a year ago.
Q Where was this marriage ceremony performed? A 5 miles be low Tomaha.
Q Where is that? A In the Choctaw Nation.
Q Was your husband, William Wallace Daggs, living in the Choctaw Nation at that time? A No sir, he was living in the Chickasaw Nation.
Q That was his residence at the time of your marriage, in the Chickasaw Nation? A Yes sir.
Q Your residence was also in the Chickasaw Nation at the time of this marriage? A No sir, I lived in the Choctaw Nation up until we were married.
Q Did you procure a license, or did your husband, tomarry? A Yes sir.
Q From whom did you get that license? A At McAlester.
Q From the United States Court? A Yes sir.
Q You were married under United States law? A Yes sir.
Q Who performed the marriage ceremony? A Parson Culver.
Q Did you ever attempt to get a marriage license from either the Choctaw or Chickasaw Nation? A No sir.
Q Were you ever married before your marriage to William Wallace Daggs? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since your marriage to this man have you lived together continuously as husband and wife? A Yes sir.
Q Been no separation, abandonment or divorce? A No sir.

Q You are at present living together as bona fide residents of the Chickasaw Nation? A Yes sir.
Q At the time of this marriage your husband was a resident of the Chickasaw Nation? A Yes sir.
Q You are sure of that fact? A Yes sir.
Q How long had he been living here? A About three years.
Q Immediately after the marriage you removed to the Chickasaw Nation, and have been living hereever since? A Yes sir.

W. H. Martin being duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings at Ada, I. T., on the 11th day of November, 1902, and that the within and foregoing is a full true and correct transcript of his stenographic notes in the same.

W H Martin

Subscribed and sworn to before me this 25 day of November, 1902.

Charles Hetaworyer
Notary Public.

No. 2056

Certificate of Record of Marriages.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } SCT:

I, E J Jarmin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. W W Daggs and Miss Mollie Dickerson was filed in my office in said Territory and District the 21st day of June A. D. 1901 and duly recorded in Book "9" of Marriage Record, Page 423

WITNESS my hand and seal of said Court, at Mc Alester this 25 day of June A. D. 1901

E J Jarmin
Clerk.

By ..... Deputy.

7—660

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 11 1901

ACTING CHAIRMAN.

No. 2056

Form No. 593.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr W W Daggs of Ada in the Indian Territory, aged 24 years, and Miss Mollie Simpson of Tamaha in the Indian Territory, aged 21 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 11 day of June A. D. 1901

E J Tamm
Clerk of the United States Court.

Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
DISTRICT. } ss:

I, a M Calvin
a minister of the gospel

do hereby CERTIFY, that on the 11 day of June A. D. 1901, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.

Witness my hand this the 11 day of June A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B Page page forgotten

R [redacted]

a M Calvin
a minister of the gospel

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.00).

Choctaw D-678.

In the matter of the enrollment of Mollie Beggs as an intermarried citizen of the Choctaw Nation.

LETTER OF
Choctaw and Chickasaw Attorneys

Protest overruled by the Department

FEB 6

CHAIRMAN

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Wollie Dargs as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-678.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of Preston Farly, et al., vs. Choctaw and Chickasaw Nations, No. 64 on the South McAlester Docket, in which the said court will decide the question of citizenship rights by intermarriage, if any, of those white persons who intermarried with citizens by blood of the Choctaw Nation not in accordance with the tribal laws, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon this subject, dated November 18, 1903.

Attorneys for the Choctaw & Chickasaw Nations.

January 23, 1904.

F.B.B.
D66

7-D-678.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----:----

In the matter of the application for the enrollment of Mollie Daggs as a citizen by intermarriage of the Choctaw Nation.

----:----

D E C I S I O N.

----:----

It appears from the record herein that Mollie Daggs claims rights as a citizen by intermarriage of the Choctaw Nation by virtue of her marriage on June 16, 1901 with William W. Daggs, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8137 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior January 17, 1903; that at the time of said marriage the applicant herein was a resident in good faith of the Choctaw Nation, and the said William Daggs was a resident in good faith of the Chickasaw Nation; that they were married under a United States license, and have lived together continuously as husband and wife, as bona fide citizens of the Chickasaw Nation, from the date of their said marriage, on June 16, 1901, up to and including September 25, 1902.

It is therefore the opinion of this Commission that, following the ruling of the Department in the case of Ella Jones (I.T.D. 6818-1904), Wollie Daggs should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

OCT 13 1904

7-D-678.

Muskogee, Indian Territory, October 15, 1904.

COPY

Mollie Daggs,

Ada, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered October 15, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Encl. 7-D-675.

7-D-678.

COPY.

Muskogee, Indian Territory, October 15, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gebtlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered October 15, 1904, granting the application for the enrollment of Mollie Daggs as a citizen by intermarriage of the Choctaw Nation.

You are hereby notified that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Chairman.

Registered. For registry receipt see 7-D-678.

Encl. 7-D-678.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Sarah E. Jaggers

as a citizen of the Choctaw Nation.

Approved, APR 26 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 26 1902

Acting Chairman.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment as a citizen of the CHOCTAW Nation,

of Sarah E.Daggs (Here insert name of child), born on the 19th day of April, 1902

Name of Father: Wallace W.Daggs, a citizen of the Choctaw Nation.

Name of Mother: Mollie Daggs, a citizen of the Choctaw Nation.

By Marriage Postoffice, ADA Chickasaw Nation I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.)
Southern District.)

I, Mollie Daggs, on oath state that I am 21.Twenty one years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Wallace W.Daggs, who is a citizen, by Blood, of the Choctaw Nation; that a Female (male or female) child was born to me on the 19th day of April, 1902; that said child has been named Sarah E.Daggs, and is now living.

Mollie Daggs

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 23rd day of April, 1902

J. H. Calvert
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.)
Southern District.)

I, W.T.Nolen, a practiseing Physician on oath state that I attended on Mrs. Mollie Daggs, wife of Wallace W.Daggs, on the 19th day of April, 1902; that there was born to her on said date a (Girl) Female (Male or female) child; that said child is now living and is said to have been named Sarah E.Daggs

W. T. Nolen M.D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 23rd day of April, 1902

J. H. Calvert
NOTARY PUBLIC

7-2776

Muskogee, Indian Territory, April 25, 1908.

Wallace W. Daggs,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Sarah E. Daggs, infant daughter of Wallace W. and Mollie Daggs, born April 19, 1908, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Choctaw R 72

Muskogee, Indian Territory, May 23, 1902.

T. N. Foster,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 17th instant, enclosing the affidavits of Alcy S. Smith and M. C. Gregory offered for filing in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of James M. Daggs.

The same has this day been duly filed with the records in this case and will receive the consideration of the Commission in the disposition of the application of James M. Daggs for enrollment as a citizen by intermarriage of the Choctaw Nation.

Yours truly,

Acting Chairman.

Choctaw R 72

Muskogee, Indian Territory, May 20, 1902.

Townsend N. Foster,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant enclosing the affidavit of W. P. Nelson offered by you for filing in the matter of the application of James M. Daggs for enrollment as a citizen by intermarriage of the Choctaw Nation and advising that this affidavit will complete the record in that case.

The same has been duly filed with the other records in this case and will receive the consideration of the Commission in the disposition of the application of James M. Daggs for enrollment as a citizen by intermarriage of the Choctaw Nation.

The Commission will at as early a date as practicable, take up for final consideration this case and render a decision therein, of which decision you will be duly advised and also of the forwarding of the record in the case to the Secretary of the Interior for his approval.

Yours truly,

Acting Chairman.

Choctaw R 72

Muskogee, Indian Territory, November 6, 1902.

W. H. Harrison,

Poteau, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, in which you desire to be advised if the name of J. M. Daggs appears upon the Choctaw rolls.

In reply to your letter you are advised that it appears from our records that on October 10, 1899, James M. Daggs, 52 years of age, made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. No decision has up to this time been rendered in the matter of his application.

Respectfully,

Acting Chairman.

Choctaw P 72

Muskogee, Indian Territory, October 31, 1902.

John Coldiron,

Saylor, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, in which you desire to be informed if J. W. Dagg is enrolled by the Commission as a recognized Choctaw citizen.

In reply to your letter you are advised that on October 10, 1899, James W. Dagg, 52 years of age, made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. A decision has not yet been rendered by the Commission in the matter of such application.

Respectfully,

Acting Chairman.

Choctaw R 22.

Muskogee, Indian Territory, March 3, 1903.

Rufus Folsom,

Iron Bridge, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date asking if James Daggs is entitled to hold land in the Choctaw Nation, and in reply you are advised that it appears from our records that James M. Daggs is an applicant to this Commission for enrollment as an intermarried citizen of the Choctaw Nation, and his final right to such enrollment has not yet been determined by this Commission. As soon as a decision is reached in this case the applicant will be duly notified of the action of the Commission.

Respectfully,

Chairman.

Choctaw D 678

Muskogee, Indian Territory, February 10, 1904.

Mollie Daggs,

Ada, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermattiage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

2777 Daisy L. Winters doc

2777

CHOCTAW. 20

IN RE

Application for Enrollment of

INFANT CHILD.

Amanda Wesley

As a citizen of the

CHOCTAW Nation.

Approved NOV 14 1900

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 14 1900

ACTING CHAIRMAN.

CHOCTAW.
2771.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Commanda Winters, born on the 5 day of February, 1903.
Name of father: Frank Winters, a citizen of the Choctaw Nation.
Name of mother: Daisy Winters, a citizen of the Choctaw Nation.
Post Office: Blaine I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Daisy Winters, on oath, state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Frank Winters who is a citizen, by Intermarriage, of the Choctaw Nation; that a Female child was born to me on the 5 day of Feby, 1903; that said child has been named Commanda Winters, and is now living.

Subscribed and sworn to before me this 7 day of November 1903.
My Commission Expires May 3 1903
John B. Davidson
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, W. P. Barbour, a Physician, on oath, state that I attended on Mrs. Daisy Winters, wife of Frank Winters on the 5 day of February 1903; that there was born to her on said date a Female child; that said child is now living and is said to have been named Commanda Winters?

W. P. Barbour

Subscribed and sworn to before me this 7 day of November, 1903.
My Commission Expires MAY 3 1903
John B. Davidson
Notary Public.

Muskogee, Indian Territory, November 14, 1900.

Frank Winters,

Blaine, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen by blood of the Choctaw Nation of Amanda Winters the infant daughter of Frank and Daisy Winters, born February 5th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2777

7-2777

Muskogee, Indian Territory, February 13, 1905.

J. F. Winters,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 9, 1905, in which you state that about eleven years ago you married an enrolled citizen of the Choctaw Nation, Daisy L. Daggs and you desire to be enrolled as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that it does not appear from our records that application has been made to this Commission by you or on your behalf for enrollment as an intermarried citizen of the Choctaw Nation and under the provisions of the act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider original applications in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

7-2777

Muskogee, Indian Territory, August 4, 1905.

Tom D. McKeown,

Attorney at Law.

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 29, 1905, asking the status of the application of Jesse F. Winters, husband of Daisy L. Winters for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it appears from the records of this office that Frank Winters husband of Daisy L. Winters, is a non citizen and that no application was made to the Commission to the Five Civilized Tribes for his enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-2777

Muskogee, Indian Territory, February 6, 1906.

J. T. Coleman,

Ardmore, Indian Territory,

Dear Sir:

Receipt is her by acknowledged of your letter of January 31, 1906, in which you ask relative to the application of Frank Winters for enrollment as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it does not appear from the records of this office that application has been made by or on behalf of Frank Winters for enrollment as a citizen by intermarriage of the Choctaw or Chickasaw Nation.

It does appear, however, that Daisy L., Walter B. and Amanda Winters, wife and children of Frank Winters, a non-citizen, have been enrolled as citizens by blood of the Choctaw Nation and their enrollment as such approved by the Secretary of the Interior.

Respectfully,

Acting Commissioner.

7-2777

Muskogee, Indian Territory, June 1, 1906.

D. C. Lloyd,

Ada, Indian Territory.

Dear Sir:

There is inclosed herewith application for the enrollment of Hazel V. Winters in which the date of the birth of the child appears as October 11, 1906, in the affidavit of the mother. It is apparent that this is an error and you are requested to have the same corrected and return the affidavits at once.

Respectfully,

Commissioner.

EB 2-1

7-2777

Muskogee, Indian Territory, June 9, 1906.

D. C. Lloyd,

Colbert, Indian Territory.

Dear Sir:

There is returned herewith for the purpose of having your seal as Notary affixed thereto the affidavits of Daisy L. Winters and Emma Johnson to the birth of Hazel V. Winters, a new born citizen of the Choctaw Nation under the act of Congress approved April 26, 1906.

Respectfully,

EB 1-9.

Commissioner.

2778 stephen Darneal doc

2778

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of -

MARY DARNEAL, - - Choctaw - 2778

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Mary Darneal as intermarried Choctaw.

Stephen Darneal being sworn and examined by Com'r McKennon states:

Stephen Darneal, forty-four years old.

Q You are a Choctaw citizen by blood? A Yes sir.

Q Your wife is a'white woman is she? A Yes sir.

Q Were you lawfully married to her? A Yes sir.

Q By whom? A Gilbert Thompson. A Choctaw Judge.

Q When? A In 1882

Q In the Choctaw Nation? A Yes sir.

Q You didn't get any certificate of marriage? A No sir, I didn't get any.

Polly Barnard being sworn and examined testifies:

Polly Barnard, fifty-nine years old.

Q Are you a Choctaw Indian by blood, or a United States citizen?

A No sir, I never proved up my right.

Q Are you acquainted with Stephen Darneal? A Yes sir.

Q Do you know his wife Mary? A Yes sir.

Q Were you present at their marriage? A Yes sir, and I saw them married.

Q By whom? A I cannot speak the man's name, he told you though.

Q She has been living with him here ever since?

A Yes sir, ever since, and I saw him pay the money for his marriage.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

Department of the Interior
Commission to the Five Civilized Tribes
Wister, I. T., December 18th, 1902.

Choctaw 2778
Intermarried

--------oOo--------

In the matter of the application of Mary Darneal for enrollment as an intermarried citizen of the Choctaw Nation.

Mary Darneal being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Mary Darneal.
Q How old are you? A Thirty-five.
Q What is your post office address? A Whitefield.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A Twenty years.
Q Have you lived here continuously for the past twentyyears?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir.
Q What is thename of your Choctaw husband through whom you claim these rights? A Stephen Darneal.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Stephen Darneal? A December 24, 1882.
Q Where was this marriage ceremony performed? A Green Hill church house, Skullyville county.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Judge Thompson.
Q Minister of the gosepl? A No sir, Judge.
Q Judge of what county? A Skullyville county.
Q Were you married under a license? A No sir.
Q Were you ever married previous to your marriage to Stephen Darneal
A No sir.
Q Was he ever married previous to his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Did you ever get a marriage certificate? A No sir.
Q Didn't the Judge give you one at the time of your marriage?
A No sir.
Q Was your marriage recorded? A Yes sir, I think it was.
Q Who was present at that marriage? A It was in the time of

church; there was a good many present.
Q Is the Judge still living? A Yes sir, I think so.

- - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles N. Sawyer

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED

ACTING CHAIRMAN.

OFFICE OF

G. W. Thompson,
CIRCUIT JUDGE SECOND DIS'T,
Choctaw Nation.

District Attorney, 2nd Dist., SIMON TAYLOR.
District Clerk, 2nd Dist., C. J. ANDERSON.
Sheriff, Nashoba County, WATSON LEFLORE.

District Court Convenes 1st Monday in December and 2nd Monday in July.

TUSHKAHOMMA, I. T., 190

This is to certify that Mr. Stephen Darneal and Miss Mary Logan were Married 24th of December A. D. 1902. at Green Hill. Scullyville County, before Me.
I was County Judge when I Married this Cuhle.
This 1st day of Jan 1903.
G. W. Thompson
Circuit Judge of
2d District C. N.

7-2778-

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary Darneal as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Mary Darneal (nee Long or Logan), on December 24, 1882, was lawfully married to Stephen Darneal, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8145, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1905; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Mary Darneal should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAY 1 1902

Choctaw 2778

COPY.

Muskogee, Indian Territory, May 7, 1903.

Mary Darneal,

Whitefield, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 7, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, SIGN

Tams Bixby.
Chairman.

Register.
Enc MYC 15

COPY.

Choct w 2778

Muskogee, Indian Territory, May 7, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission rendered May 7, 1903, granting the application of Mary Darneal, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, SIGNED

Tams Bixby.

Chairman.

Register.
Enc MYC 16

IN RE

Application for Enrollment of

INFANT CHILD.

Henry Darneal

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

7-2-778

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Henry Darneal, born on the 7th day of December, 1896

Name of father: Stephen Darneal, a citizen of the Choctaw Nation.

Name of mother: Mary Darneal, a citizen by intermarriage of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary Darneal, on oath, state that I am 32 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Stephen Darneal who is a citizen, by blood, of the Choctaw Nation; that a male child was born to me on the 7th day of December, 1896; that said child has been named Henry Darneal, and is now living.

X Child present Witness F. N. Labelle

her
Mary X Darneal
mark

Subscribed and sworn to before me this 15th day of January, 1897.

~~Notary Public.~~
Commissioner

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE~~ neighbor.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Polly Barnard, a neighbor, on oath, state that ~~I attended on Mrs.~~ ~~, wife of~~ Stephen and Mary Darneal on the 7th day of December, 1896; that there was born to ~~her~~ on said date a male child; that said child is now living and is said to have been named Henry Darneal.

Witness F. N. Labelle

her
Polly X Barnard
mark

Subscribed and sworn to before me this 15th day of January, 1897.

~~Notary Public.~~
Commissioner

CHOCTAW. 1 212 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Carneal, Fred S.

as a citizen of

Choctaw Nation.

JUL 11 1901

Approved, 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 11 1901

ACTING CHAIRMAN.

CHOCTAW.
2778

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Fred S. Darneal (Here insert name of child), born on the 10th day of January, 1901

Name of Father: Steve C. Darneal, a citizen of the Choctaw Nation.

Name of Mother: Mary E Darneal, a citizen of the United States Nation.

Post-office, Whitefield, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary E. Darneal, on oath state that I am 32 years of age and a citizen, by , of the United States Nation; that I am the lawful wife of Steve C. Darneal, who is a citizen, by blood, of the Choctaw Nation, that a male (male or female) child was born to me on the 10th day of January 1901, that said child has been named Fred Steven Darneal, and is now living.

Mary E. her + mark Darneal

WITNESSES TO MARK:
(Must be Two Witnesses) E Hester
S M England

Subscribed and sworn to before me this 8th *day of* July 1901.

J. H. Newbern
NOTARY PUBLIC
My Comm expires 10th May 1904.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, A. B. Calloway, a Physician, on oath state that I attended on Mrs. Mary E. Darneal, wife of Steve C. Darneal, on the 10th day of January, 1901, that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Fred S. Darneal

A. B. Calloway M.D.

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 8th *day of* July 1901.

J. H. Newbern
NOTARY PUBLIC
My Comm expires 10th of May 1904.

Muskogee, Indian Territory, July 11, 1901.

Mr. Steve C. Darneal,

Whitefield, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of a letter from J. H. Newbern, Notary Public, of the 8th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Fred S. Darneal, the infant son of Steve C. and Mary M. Darneal, born January 10, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-2778

MoM

7-3773.

Muskogee, Indian Territory, January 27, 1903.

Stephen Darneal,

Whitefield, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th inst., enclosing a certificate of marriage between Stephen Darneal and Mary Logan; and the same has been duly filed with the records of the Commission in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of Mary Darneal.

Respectfully,

Acting Chairman.

7-2778

Muskogee, Indian Territory, May 26, 1903.

Stephen Darneal,

Whitefield, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 19, in which you state that your wife's maiden name was Long instead of Legan.

Respectfully,

Commissioner in Charge.

2779 Jessie B. Ainsworth Choc

2779

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Margaret Ainsworth as intermarried Choctaw; Jesse B. Ainsworth being sworn and examined by Com'r McKennon testifies:

Jesse B. Ainsworth, forty-five years old.

Q You are a Choctaw citizen by blood? A Yes sir.

Q Your wife is a white woman? A Yes sir.

Q Were you lawfully married to her? A Yes sir.

Q By whom? A By a preacher, W.B.Austin.

Q Where, in the Choctaw Nation? A Yes sir

Q Is your wife living with you still? A Yes sir.

D.S.Ainsworth being sworn and examined testifies:

Q What is your name? A D. S. Ainsworth.

Q What is your age? A Seventy-six.

Q Do you know Jesse B. Ainsworth? A Yes sir.

Q Do you know his wife Margaret? A I do, she is my daughter

Q He is a Choctaw Indian by blood? A Yes sir.

Q She is a white woman? A Yes sir, she is a white woman.

Q Were you present at their marriage? A Yes sir

Q You saw them married? A Yes sir

Q Who officiated? A Parson Austin a Methodist Circuit Rider.

Q That in the Choctaw Nation? A Yes sir.

Q Is she still living with him? A Yes sir.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to the above named Commission that this transcript is a true and correct transcription of my stenographic notes.

M D Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, Indian Territory, December 18, 1902.

Choctaw 2779.
Intermarried.

In the matter of the application of Margaret Ainsworth for enrollment as an intermarried citizen of the Choctaw Nation.

Margaret Ainsworth, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

Q What is your name? A Margaret Ainsworth.
Q How old are you? A Forty eight.
Q What is your post office address? A Oak Lodge, Indian Territory
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Thirty four years.
Q Have you lived here continuously for the past thirty four years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir
Q Do you claim intermarried rights in the Choctaw Nation? A Yes sir
Q What is the name of your Choctaw husband through whom you claim these rights? A Jesse B. Ainsworth.
Q When were you married to Jesse B. Ainsworth? A In 1881.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Where was the marriage ceremony performed? A Oak Lodge.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Rev. Austin.
Q A minister of the gospel A Yes sir.
Q Were you married under a license? A No sir.
Q Were you ever married previous to your marriage to Jesse B. Ainsworth? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

--o--

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full,,true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to before me this 22 day of January 1903.

Charles Netawyer
Notary Public.

West

7 - 2779

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Margaret Ainsworth as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that Margaret Ainsworth, in 1881 was lawfully married to Jesse B. Ainsworth, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 8151 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Margaret Ainsworth should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

MAY 8 1903

Choctaw 2779

COPY.

Muskogee, Indian Territory, May 8, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered on the 8th day of May, 1903, granting the application of Margaret Ainsworth, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(Signed) Tams Bixby.

Chairman.

Registered

Enc. WBS.4

Choctaw 2779

COPY.

Muskogee, Indian Territory, May 8, 1903.

Margaret Ainsworth,

Oak Lodge, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered on the 6th day of May, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED Tams Bixby.

Chairman.

Registered

Rno.MBS.3

2780 Elizah W. Fannin doc

2780

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

------:O:------

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

FLORENCE LORELL FANNIN ------ 7 D-792.

Choct aw D. #792.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, I.T. September 16, 1902.

----o----

In the matter of the application of Florence Lorell Fannin for the enrollment of herself as an intermarried citizen of the Choctaw Nation.

Florence Lorell Fannin being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Florence Lorell Fannin.
Q What is your age? A Twenty-three.
Q What is your post office address? A Oaklodge.
Q What nation is that in? A Choctaw.
Q How long have you been a resident of the Choctaw Nation? A Born there.
Q Lived there all your life? A Yes sir.
Q What is the name of your father? A W. S. Meroney.
Q Is he living? A No, dead.
Q What is the name of your mother? A Kate.
Q Is she living? A Yes sir.
Q Are both of your parents white persons? A Yes sir.
Q Both citizens of the United States? A Yes sir.
Q Have either of your parents ever made application for enrollment as citizens of any Indian tribe? A My mother has.
Q Citizen by blood? A No sir.
Q Citizen by intermarriage? A Yes sir.
Q Through whom did she claim as an intermarried citizen? A Leflore.
Q What is his first name? A Green.
Q Did your mother ever make application to the Commission to the Five Civilized Tribes for enrollment as an intermarried citizen? A I am not sure, it seems like she did.
Q Have you ever made application before this for enrollment as a member of any Indian tribe? A No sir.
Q Are you now making application for enrollment as an intermarried citi zen of the Choctaw Nation? A Yes sir.
Q What is the name of your husband? A Henry Fannin.
Q Is your husband recognized and enrolled as a citizen of the Choctaw Nation? A Yes sir.

The name of the applicant's husband, Henry Fannin, appears upon the records of the Commission on Choctaw Roll Card Field number 2780, having been listed by the Commission to the Five Civilized Tribes for enrollment as a citizen by blood of the Choctaw Nation upon the identification of his name on 1896 Choctaw Census Roll, Skullyville County, #3936.

Q Were you married under the Choctaw law? A yes sir.

Choctaw D. #792.

Q Have you evidence of that marriage with you? A It has been sent in.

The marriage certificate of Henry Fannin and F. Heroney issued by the County Judge of Skullyville County, Choctaw Nation, is filed with the records of the Commission to the Five Civilized Tribes in Choctaw #2780.

Q Were you ever married before the marriage to your present husband? A No sir.
Q Was your husband ever married before his marriage to you? A No sir.
Q As far as you know there was no legal objedtion to your marriage? A Not that I know of.
Q Are you at present living together as husband and wife? A Yes sir.
Q There has been no separation or divorce since your marriage? A No sir.

---------o---------

Chas. Diffendaffer, after being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, taken on September 16, 1902, and that the foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. Diffendaffer

Subscribed and sworn to before me this 17 day of September, 1902.

E. J. Kentie
Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WISTER, I.T. Dec.17, 1902.

7-D792

In the matter of the application of Florence L. Fannin for enrollment as an inter married citizen of the Choctaw Nation.

Florence L. Fannin being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Florence L. Fannin.
Q How old are you? A Twenty three.
Q What is your post office address? A Oak Lodge.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Raised there.
Q You never lived anywhere else? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim? A Henry T. Fannin.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Henry Fannin? A June 3, 1900.
Q Where was this marriage ceremony performed? A Oak Lodge.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A County Judge Lanier.
Q Were you ever married previous to your marriage to Henry Fannin? A No sir.
Q Was he ever married before? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? AYes sir.
Q There has been no separation, abandonment or divorce? A No sir.
A Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had above on December 17, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 7 day of January, 1903.

Charles N. Sawyer

Notary Public.

[illegible] Cheraton [illegible]

Be it known to all whom it may concern that this is to certify that this day Henry [illegible] a citizen of the [illegible] Florence Mooney a citizen of the united states was lawfully united in marriage by the undersigned

Ed. Lanier
County Judge.
of Shelbyville Co.

Recorded in Record Book Page 97.

Laura Leflore, C.C.
Shelbyville Co. C.N.

(illegible)
D6h)

7 D-792.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-------0-------

In the matter of the application for the enrollment of Florence Lorell Fannin as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Florence Lorell Fannin, on June 3, 1900, was lawfully married to Henry Fannin, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8156 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in Indian Territory as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Florence Lorell Fannin should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
FEB 27 1904

Commissioner.

Choctaw No. D-792

Muskogee, Indian Territory, February 27, 1904.

Florence Lorell Fannin,

Oak Lodge, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered February 27, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc. 7-D-792

Choctaw No. D-792

Muskogee, Indian Territory, February 27, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw & Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered February 27, 1904, granting the application of Florence Lorell Fannin for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling said Florence Lorell Fannin as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.
Enc. 7-D-792

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

ELIJAH W. FANNIN, 7-2780.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 15th, 1902.

Choctaw 2780
Intermarried

---------oO----------

In the matter of the application of Elijah W. Fannin for enrollment as an intermarried citizen of the Choctaw Nation.

Elijah W. Fannin being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Elijah W. Fannin.
Q How old are you? A I am about forty-six.
Q What is your post office address? A Oaklodge.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A Oh, I have been a resident of the Choctaw Nation something over thirty years.
Q Have you lived here continuously for the past thirty years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Johnanna.
Q Maiden name? A Ainsworth.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to this woman? A Well, I forgotten exactly. The records are here, but I think it was in '76.
Q Where was this marriage ceremony performed? A Oaklodge.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A County Clerk; it was according to the statutes in force at that time.
Q County Judge of what county? A Skullyville..
Q How much did you pay for that license? A I think it was $25, I am not certain.
Q Who performed the marriage ceremony? A Sheppard.
Q Was he a minister of the gospel? A Yes sir.
Q Were you ever married prior to your marriage to Johnanna Ainsworth? A No sir.
Q Was she ever married previous to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.

Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

- - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 15th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles W Sawyer
Notary Public.

Recorded on
page 372
R. B. No 1
E W Fannin
County Clk
This Aug 20th 1888

Be it known that whereas Elijah W. Fannin a citizen of the United States of America has this day made application to the undersigned for marriage license under an Act approved October 1840 and it appearing that the said Elijah W. Fannin is of lawful age to contract marriage and has resided in the Choctaw Nation for the space of two years previous to the signing of this license

Now therefore I N. F. Krebbs County Judge of Skullyville County Choctaw Nation by virtue of the authority in me vested by the laws of said Nation do grant unto the said Elijah W. Fannin license to marry Johnanna Ainsworth a citizen of the Choctaw Nation and any judge of a court of the Choctaw Nation or minister of the Gospel is hereby authorized to solemnize the rites of matrimony between the above parties

In Testimony whereof I have hereunto set my hand and caused the seal of office to be affixed

Th[illegible] the 7th day of [illegible] Attest

January 1877 [illegible] Thos D Ainsworth
County Clerk of
Skullyville County C. N.

THIS CERTIFIES.--,

That Elijah Watson Fleming. of Skullyville. County, State of Choctaw Nation. and Johnnie Ainsworth. of Skullyville County State of Choctaw Nation. Were United In Holy Matrimony. By me, according to the Ordinance of God and the Laws of the State of Choctaw Nation. at Skullyville on the Tenth day of January, in the year of OUR LORD, One Thousand Eight Hundred and Seventy Seven

E. R. Shepard.
Minister of the Gospel.,

.....

WITNESS.,

.....

Oak Lodge. Ind Ter.,

Choctaw Nation. U. S. A.,

I do here-by Certify that the above Marriage Certificate, is a true and correct copy of the Original as presented to me , Our copy, "And now in the possession of E . W . Flemming."

This the 15th day of June, A. D. 1904.,

.....

Clerk of the Court's of Skullyville County. Choctaw Nation.,

7-2780.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elijah W. Fannin as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N----

It appears from the record herein that Elijah W. Fannin on January 10, 1877, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Johnanna Fannin (nee Ainsworth), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8155, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Elijah W. Fannin should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,

MAY 7 1903

COPY.

Choctaw 2780

Muskogee, Indian Territory, May 7, 1903.

Elijah W. Fannin,

Spiro, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered on the 7th day of May, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc.MBS.No20

COPY.

Choctaw 2780

Muskogee, Indian Territory, May 7, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered on the 7th day of May, 1903, granting the application of Elijah W. Fannin, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby.
Chairman.

Registered

Enc. CBS.21

IN RE

Application for Enrollment of

INFANT CHILD

Johanna F. Fannin

As a citizen of the

Choctaw Nation.

Approved June 15 1879

Commissioner.

7-2780

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Johnnanna Fay Fannin, born on the 2nd day of Feb, 1898.

Name of father: Elijah Watson Fannin, a citizen of the Cherokee Nation.

Name of mother: Johnnanna Fannin, a citizen of the Cherokee Nation.

Post Office: Chief Lodge

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Muskogee District.

I, Johnnanna Fannin, on oath, state that I am 21 years of age and a citizen, by Blood of the Cherokee Nation; that I am the lawful wife of Elijah Watson Fannin who is a citizen, by Marriage, of the Cherokee Nation; that a Female child was born to me on the 28 day of Feb, 1898; that said child has been named Johnnanna Fay Fannin and is now living.

Johnnanna Fannin

Subscribed and sworn to before me this 14 day of June, 1898.

James L. Bowers
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Muskogee District.

I, [illegible], a Physician, on oath, state that I attended on Mrs. Johnnanna Fannin, wife of [illegible] on the 28 day of February, 1898; that there was born to her on said date a female child; that said child is now living and is said to have been named [illegible].

[illegible]

Subscribed and sworn to before me this 10 day of June, 1898.

Frank E. Parks
Notary Public.

7-2780. ✓

IN RE

Application for Enrollment of

INFANT CHILD

Alice D. Jannin

as a citizen of the

Choctaw *Nation.*

Approved DEC 20 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 20 1902

ACTING CHAIRMAN.

CHOCTAW #2780,

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the Choctaw Nation, of Allice D (Here insert name of child), born on the 3 day of August, 1902

Name of Father: Elyah W Fannin, a citizen of the Choctaw Nation.

Name of Mother: Johnanna Fannin, a citizen of the Choctaw Nation.

Post-Office: Oak Lodge

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District,

I, Johnanna Fannin, on oath state that I am 44 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Elyah W Fannin, who is a citizen, by Marriage, of the Choctaw Nation, that a Female (Male or female) child was born to me on the 3 day of August 1902, that said child has been named Allice D, and is now living.

Johnanna Fannin

WITNESSES TO MARK:

(Must be Two Witnesses) John Taylor
E W Fannin

Subscribed and sworn to before me this 12 day of Dec 1902.

Frank E Parke
Notary Public.

my comm Exp
1-31-1904

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, C. H. Mahar, a Physician, on oath state that I attended on Mrs. Johnanna Fannin, wife of Elyah W Fannin, on the 3 day of August, 1902; that there was born to her on said date a Female (Male or female) child; that said child is now living and is said to have been named Allice D

Charles H Mahar M. D.

WITNESSES TO MARK

(Must be Two Witnesses) John Taylor
E W Fannin

Subscribed and sworn to before me this 12 day of Dec 1902

Frank E Parke
Notary Public

A. 20

IN RE

Application for Enrollment of

INFANT CHILD

Mella Belle Tannin

as a citizen of the

Nation.

Approved SEP 6 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 6 1902

2780

DEPARTMENT OF THE INTERIOR.

7

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Willa Belle Fannin (Here insert name of child) born on the 8th day of March, 1902

Name of Father: Henry T. Fannin, a citizen of the Choctaw Nation.

Name of Mother: Florence Fannin, a citizen of the Choctaw Nation.

Post-Office: Lake Tonkawa, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District.

I, Florence Fannin, on oath state that I am 23 years of age and a citizen, by Marriage of the Choctaw Nation; that I am the lawful wife of Henry T. Fannin, who is a citizen, by Blood, of the Choctaw Nation, that a Female (Male or female) child was born to me on the 8th day of March, 1902; that said child has been named Willa Belle Fannin and is now living.

Florence Fannin

WITNESSES TO MARK.

(Must be Two Witnesses)

Subscribed and sworn to before me this 3d *day of* Sept *1902.*

J. N. Bowman

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, L D Crawford, a Physician on oath state that I attended on Mrs. Florence Fannin, wife of Henry T. Fannin, on the 8th day of March, 1902; that there was born to her on said date a Female (Male or female) child; that said child is now living and is said to have been named Willa Bill Fannin

L. D. Crawford M. D.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 3d *day of* Sept *1902*

J. N. Bowman

My Commission Expires 3d day of March 1906 *Notary Public.*

Choctaw 2780

Muskogee, Indian Territory, July 19, 1908.

Elijaw W. Fannin,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th instant, requesting that you be supplied with three blank applications for the enrollment of infant children, and desiring to be informed as to the names of the members of your family as the same appear upon the roll.

In accordance with your request there is enclosed you herewith [redacted]lank applications for the enrollment of infant children. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested persons, witnesses thereto. The notary public taking the acknowledgments of the mother and the attending physician or nurse, must affix his notarial jurat and seal to each separate affidavit.

You are advised that it appears from the records of this office that on June 15, 1899, Elijah W. Fannin, 43 years of age, of Oak Lodge, Indian Territory, his wife Johnanna and their children Henry, Pauline, Fredrica, Georgina, Myrtle I., Madaline F. and

E V F S

Johnanna F. Fannin, were listed for enrollment by this Commission as citizens of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

S BC

7-2780

Muskogee, Indian Territory, September 8, 1902.

Henry Fannin,

Oaklodge, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Nella Belle Fannin, infant daughter of Henry T. and Florence Fannin, born March 18, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage certificate between Henry Fannin and Florence Moorney, and the same has been duly filed with the records of the Commission in the matter of the enrollment of the above named child.

Your request that your wife Florence be listed for enrollment as an intermarried citizen of the Choctaw Nation cannot be complied with for the reason that the rules of the Commission require applicants for enrollment as citizens by intermarriage of the Choctaw Nation to present themselves in person before the Commission for the purpose of an examination under oath, that a sufficient record may be made upon which to base a decision as to the

H. F.--2.

right of the applicant to enrollment.

If your wife desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, she will be heard upon her personal appearance before the Commission at its office at Muskogee, Indian Territory, at any time prior to the closing of the final rolls of the citizens of the Choctaw Nation.

It is suggested, however, that if she anticipates making such application she should do so with as little delay as possible.

Yours truly,

Acting Chairman.

2781 Nettie R. Simpson Choc

2781

Choctaw 2681
Choctaw 2535
Choctaw 2786
Choctaw 2781

Muskogee, Indian Territory, October 6, 1902.

John D. Benedict,

Superintendent of Schools,

Muskogee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 2, asking relative to the enrollment as Choctaws by blood of the following named children:

Everett Crutchfield,
Ima Crutchfield,
Louvina Crutchfield,
William Crutchfield,
Louticia Crutchfield.
Minnie Wilson,
Walter Wilson.
Russell Simpson,
William Simpson.
Brandon Derryberry,
Frank Wilson,
Clayton Wilson,

In reply to your letter you are informed that it appears from our records that on June 13, 1896, Everet, Ima, Louvinia, William and Louticia Crutchfield, children of Ida Crutchfield and G. W. Crutchfield, were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, rendered August 25,1897, in court case, citizenship docket, Number 132.

It also appear from our records that Edward R. Simpson,

nine years old, and William M. Simpson, seven years old, children of Mattie R. Simpson, a citizen by blood of the Choctaw Nation, and W. M. Simpson, a noncitizen, were, June 15, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified from the 1896 Choctaw Census Roll, being numbers 11,152 and 11,153 thereon.

It further appears that Brandon B. Derryberry, son of Emma R. Derryberry, a citizen by blood of the Choctaw Nation, and Garrison W. Derryberry, a noncitizen, was, June 15, 1899, listed for enrollment as a citizen of the Choctaw Nation, having been identified from the 1896 Census Roll of the Choctaw Nation, being number 5240 thereon.

It also appears that Frank Wilson, twelve years old, Clayton Wilson, ten years old, Minnie Wilson, eight years old and Walter Wilson, seven years old, children of J. D. Wilson and Alice McClary, were on June 14, 1899, listed for enrollment as citizens by blood of the Choctaw Nation, having been identified fromthe 1896 Choctaw Census Roll, as numbers 12830,12831,12832, and 12833 thereon.

It is believed that these are the children concerning whom your inquiry is made.

Respectfully,

Acting Chairman.

Choctaw 2781.

Muskogee, Indian Territory, April 27, 1903.

Nettie R. Simpson,

Ward, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 21, asking if the old tribal law governs the selection of allotments at this time, and stating that you and a certain other citizen are having some trouble in establishing the boundary lines between the land on which each has improvements. You also inquire if it is necessary to have a certificate of your enrollment from the Secretary of the Interior before you can appear at the land office and make selection of your allotment.

In reply to your letter you are advised that the allotment of the lands of the Choctaw and Chickasaw Nations will be made under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902.

You are further advised that it appears from our records that Nettie R. Simpson and her children, Edward R., William N. and Marion Simpson, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and on January 17, 1903, their enrollment was approved by the Secretary of the Interior.

WRSS

You are further advised that if you desire to select the land described by you in allotment you should appear at the land office for the nation in which the same is located and make formal application therefor. The plat inclosed by you is herewith returned.

Respectfully,

Chairman.

AB 4-27

2782 William B. merryman choc

2782

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 2782
Intermarried

----------oOo----------

In the matter of the application of Florence A. Merryman for enrollment as an intermarried citizen of the Choctaw Nation.

Florence A. Merryman being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Florence A. Merryman.
Q How old are you? A I am thirty years old.
Q What is your post office address? A Oaklodge.
Q That is in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A About twenty years.
Q Have you lived here continuously for the past twenty years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A William B. Merryman.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A Not that I know of.
Q When were you married to William B. Merryman? A I was married in the state of Arkansas, the 27th day of December, 1882, and then we was married according to the tribal law in 1896.
Q Your first marriage was under the laws of the state of Arkansas?
A Yes sir.
Q But your second marriage was under the tribal laws? A Yes sir.
Q Did you obtain a tribal license? A No sir, my husband didn't need any license to marry a white woman.
Q Was there any separation between these two marriages? A No sir.
Q Who performed the marriage ceremony? A Judge Ward, judge of Skullyville county.
Q Were you ever married previous to your marriage to William B. Merryman? A No sir.
Q Was he ever married previous to his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A Yes sir.
Q Did you then apply as an intermarried citizen? A Yes sir.
Q What action was taken on your application at that time?
A Why they enrolled me with my husband as a citizen before the Commission. I wasn't there. He enrolled me hisself.
Q Was your case ever appealed to the United States Court to your knowledge? A No sir.

Albert G. McMillan being first duly sworn states that as ste nographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Clark McSawyer

Notary Public.

Choctaw-2782

COPY.

Muskogee, Indian Territory, July 20, 1903.

Florence A. Merryman,

Oak Lodge, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

T. B. Needles

Commissioner in Charge.

Registered.

Enc.HG, 29

Choctaw-2782

Y.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Florence A. Merryman, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

T. B. Needles

Commissioner in Charge.

Registered.

Enc.HG.30

7 - 2782

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Florence A. Merryman as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the census card record in this case that Florence A. Merryman appeared before the Commission at Spiro, Indian Territory, June 15, 1899, and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings in the matter of this application were had at Wister, Indian Territory, December 17, 1902.

It further appears from the records of the Commission that on September 5, 1896, in a case entitled "Allie Merryman vs. Choctaw Nation", (1896 Choctaw Citizenship Docket, Case No. 622), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with William B. Merryman, a recognized and enrolled citizen by blood of the Choctaw Nation, and on December 2, 1896, the said Florence A. Merryman was by this Commission admitted to citizenship in the Choctaw Nation under the name of Allie Merryman, as a citizen by intermarriage, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that the applicant herein was a resident in good faith of Indian Territory on June 28, 1898, and that her status as an intermarried citizen has remained unchanged from the date of her said admission up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Florence A. Merryman should be enrolled as a citizen by intermarriage of the Choctaw Nation under the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,

JUL 20 1903

INDEXED

CHOCTAW 20

IN RE

Application for Enrollment of

INFANT CHILD

Ezra Ruben Murrayman

as a citizen of

Choctaw Nation.

Approved, JUL 29 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 29 1901

ACTING CHAIRMAN

7-2782

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the Choctaw Nation.

of Ezra Ruben, born on the 9 day of June 1901
(Here insert name of child)

Name of Father: William B Merryman, a citizen of the Choctaw Nation.

Name of Mother: Florence A Merryman a citizen of the Choctaw Nation.

Post-office, Oak Lodge I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Florence A Merryman, on oath state that I am 29 years of age and a citizen, by Marriage of the Choctaw Nation; that I am the lawful wife of William B Merryman, who is a citizen, by birth, of the Choctaw Nation, that a Male (male or female) child was born to me on the 9 day of June 1901: that said child has been named Ezra Ruben Merryman, and is now living.

Florence A Merryman

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 15 day of July 1901.

My Com Exp 1-31-1904

Grant E. Parks
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Central District. }

I, Nancy Osborn, a midwife, on oath state that I attended on Mrs. Florence A Merryman, wife of William B Merryman, on the 9 day of June 1901: that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Ezra Ruben Merryman

Nancy Osborn

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 27 day of June 1901.

My Com Exp 1-31-1904

Grant E. Parks
NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

As a citizen of the

Nation.

Approved 1

Commissioner.

7-2782

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Nancy [illegible] Merryman, born on the 24 day of Aug [illegible], 1895.

Name of father: [illegible] a citizen of the [illegible] Nation.

Name of mother: Florence A. Merryman, a citizen of the Cherokee Nation.

Post Office: Oak [illegible] I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Cad[illegible] District.

I, Florence A. Merryman, on oath, state that I am 27 years of age and a citizen, by Intermarriage, of the Cherokee Nation; that I am the lawful wife of William B. Merryman who is a citizen, by [illegible], of the Cherokee Nation; that a girl child was born to me on the 24 day of August, 1895; that said child has been named Nancy J. Merryman and is now living.

Florence A. Merryman

Subscribed and sworn to before me this 15th day of June, 1899.

F. W. [illegible]

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, F. M. Johnson, a Physician, on oath, state that I attended on Mrs. Florence A. Merryman wife of William B. Merryman on the 24 day of August, 1895; that there was born to her on said date a girl child; that said child is now living and is said to have been named Nancy J. Merryman.

F. M. Johnson M. D.

Subscribed and sworn to before me this 15th day of June, 1899.

[illegible]

Notary Public.

My commission expires [illegible] 10th 1900

Muskogee, Indian Territory, July 29, 1901.

Mr. William B. Merryman,

Oak Lodge, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ezra Ruben Merryman, the infant son of William B. and Florence A. Merryman, born June 8, 1901, and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-2782

Commissioner in Charge.

7-2782

Muskogee, Indian Territory, June 28, 1904.

Wm. B. Merryman,

Oaklodge, Indian Territory.

Dear [redacted] Receipt is hereby acknowledged of the affidavits of Florence A. Merryman and N. J. Willkitt, relative to the birth of your infant daughter, Martha B. Merryman, November 12, 1903, which it is presumed have been forwarded to this Commission as an application for enrollment of said child as a citizen by blood of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress approved July 1, 1902, the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Commissioner in Charge.

2783 Frank T. LeFlore Choc

Gertrude LeFlore Transferred from Choctaw
D-622 Jan 28, 1905

2783

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Ger trude LeFlor e for enrollment as an intermarried citizen of the Choctaw Nation. The said Gertrude LeFlore having been first duly sworn by Acting Chairman Bixby, testified as follows:

Examination by the Commission.

Q How old are you, Mrs.LeFlore? A Seventeen.
Q What is your postoffice address? A What is it?
Q What is your postoffice address? A Fort Smith.
Q Arkansas? A What is it.
Q Is that in Arkansas? A Yes sir.
Q Do you live in Arkansas? A No sir; I live in the Choctaw Nation?
Q How long have you lived in the Choctaw Nation? A Really, I don't know. As soon as my husband got the home fixed, we went right straight there.
Q About how long ago has that been? A About a week, I think; about that long - just about.
Q Prior to that time you lived in Arkansas, did you? A Yes sir. Just as soon as he got the house fixed we moved there after we were married.
Q Your husband lived in Arkansas up until the time you moved to the Indian Territory? A Really, I don't know. I think he has always lived, - made the Territory his home, but Fort Smith is his postoffice address?
Q Was his actual,place of residence, where he lived and had his household furniture, in the Choctaw Nation? A Yes sir.
Q Did he ever have a home in Fort Smith? A Why, his mother lived in Fort Smith, and he woulf go in there occasionally, but he lived in the Choctaw Nation.
Q Have you always lived in Arkansas up until the time you married Mr.LeFlore? A Yes sir.
Q The only residence you have had in the Choctaw Nation, actual residence, has been in the past week, is it? A Yes sir.
Q What is your father's name? A W.F.May.
Q William May? AYes sir.
Q Is your father living? A Yes sir .
Q What is your mother's name? A M.J.May.
Q What is her full name? A Mary Jane May.
Q Is your mother living? A Yes sir.
Q Your parents are both white persons? A Yes sir.
Q Either of them ever made any claim to Indian citizenship by blood? A No sir.
Q Have you ever made any claim to Indian citizenship by blood? A No sir.
Q Have you ever, prior to this time,made application to the Choctaw tribal authorities or the authorities of the United States to be enrolled as an Indian by blood? A No sir.
Q Were you ever married prior to your marriage to Mr.LeFlore? A No sir.
Q Was he ever married? A Yes sir.
Q You are nowmaking application for enrollment as a citizen by intermarriage of the Choctaw Nation; what is the name of the person

through whom you claim this right to Indian citizenship? A Frank T. LeFlore.

Q Is he a Choctaw Indian? A Yes sir.

Q How old is he? A Twenty nine.

Q Do you know to what County in the Choctaw nation he belongs? A What county?

Q Yes? A No sir.

Q What is his father's name? A Campbell LeFlore is his father's name.

Q Is he living? A No sir.

Q What is his mother's name? A Ida L. Foucar.

The records of the Commission examined and the name of Frank T. LeFlore appears upon Choctaw roll card, field number 2783, who was listed for enrollment as a citizen by blood of the Choctaw on June 15, 1899, as a resident of Skullyville County, Choctaw Nation.

Q When were you married to Mr.LeFlore? A The twenty-seventh of last December?

Q 1900? A Yes sir.

Q Where were you married to him? A At Bentonville, Arkansas.

Q Who married you? A Reverend Boggs of the Presbyterian Church.

Q Have you your marriage certificate? A Yes sir.

Q Have you it with you? A Yes sir.

There is offered in evidence, filed and made a part of the record in this application, the marriage license issued by I.C.Casey, Clerk of Benton County, State of Arkansas, to F. T. LeFlore to marry Miss Frances G. May, the marriage license being dated the 27th day of December, 1899. Also the certificate of D. C. Boggs as to the marriage of F.T. LeFlore and Miss Frances G. May, the 28th of December, 1900 said marriage license and ceritiicate being recorded the 28th day of December, 1900, in the marriage records of Benton County, Arkansas, in Book F, page 63.

Q Mrs.LeFlore, the Frances G.May in this marriage license is the identical person as Gertrude LeFlore now? A Yes sir; my name is Frances Gertrude, but I am generally called Gertrude; that is my name.

Q This is the only marriage license under which you were ever married to Mr.LeFlore? A Yes sir.

Q Was Mr.LeFlore ever married prior to the time he married you? A Yes sir.

Q To whom was he married? A Miss Lillie Ballard.

Q Is she living? A Yes sir.

Q Has he ever been divorced from her? A Yes sir.

Q Was she a white woman? A No sir.

Q A Choctaw woman? A Yes sir.

Q Has she ever married since then? A No sir.

Q It will be necessary that the Commission be supplied with evidence of the divorce of Frank T.LeFlore from his first wife in the matter of the application of Gertrude LeFlore as an intermarried citizen of the Choctaw Nation.

Q Mr.LeFlore's intention now is to make his place of residence permanently in the Choctaw Nation? A Yes sir.

Q Where were they divorced? A I don't know; he was divorced in the Choctaw Nation.

Q The decision of the Commission as to your application for enrollment as an intermarried citizen of the Choctaw Nation will be mailed to you at your present postoffice address?

Charles G.Warner having been first duly sworn by Acting Chairman Bixby, testified as follows:

Examination by the Commission.

(By Mr.Warner)

The residence of Mrs.Gertrude LeFlore is with Mrs. Ida L. Foucar, now situated in the Choctaw Nation just across the State line adjacent to the State of Arkansas, a strip of Territory which, by the Curtis Bill, was placed under the police jurisdiction of the City of Fort Smith, and her postoffice address is at the general delivery office at Fort Smith. They only live about one hundred yards from the Missouri-Pacific depot and about two hundred yards from the foot of Garrison Avenue, but on the Choctaw side of the line.

R. S. Streit, having been first duly sworn by Acting Chairman Bixby, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above case, and that the above and foregoing is a full, true and correct translation of his stenographic notes in said case.

R. S. Streit

Subscribed and sworn to before me this 28, day of Febrary, 1901.

Acting Chairman.

Tuesday Morning May 2nd 1899.

Court met pursuant to adjournment Tuesday Morning May 2 1899, at 10 o'clock, all officers present Jury roll called, minutes of yesterday read, corrected and approved in open Court and is now ready for dispatch of business and the following cases were disposed of, To wit:-

No 312. Lillie Leflore)
vs Pet. for divorce)
Grant Leflore,

This case coming on to be heard and after having been taken up, upon motion of Jerry Folsom Attorney for Plaintiff, Plaintiff asks that an additional supplementary petition be granted her, giving her as alimony a certain tract of land described as follows:- One farm located in Yoleau River Bottom, about Three miles West of Fort Smith, Ark., and containing about Sixty acres of land in cultivation known as the Grant Leflore Farm being the home where Plaintiff formerly lived with Defendant, and after hearing evidence of Witnesses and the statement of Plaintiff in the case the Court is of the

Decree of
Divorce.
J F Leflore
Lucie Leflore

Granted May 24 1899

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 12 1901

[signature] ACTING CHAIRMAN

opinion that the Plaintiff is the aggrieved party, Therefore it is ordered decreed and adjudged by the Court that the Bonds of Matrimony heretofore existing between Plaintiff and Defendant be forever dissolved and made null and void and that Plaintiff have Alimony as asked for in her petition.

Court was Adjourned by the Sheriff until tomorrow morning at nine o'clock.

Minutes of the 2nd Instant read, corrected and approved in open Court this 3rd day of May 1899.

Attest
James Culberson
Clerk.

N. J. Holson
Presiding Judge

I James Culberson Clerk of the Circuit Court for the First Judicial District, Choctaw Nation and Custodian of its Records, do hereby certify that the above and foregoing is a full, true and correct copy of the original decree of Divorce granted upon the 2nd day of May 1899, to Tillie Sexton from Frank Sexton as they appear at Pages 834, 838 and 839 of Minute Book of said Court.

In Testimony whereof Witness my hand and seal as such Clerk this 15 day of Nov 1899.

James Culberson
Circuit Clerk.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, April 15, 1902.

In the matter of the application of **Gertrude Le Flore** for enrollment as a citizen by intermarriage of the Choctaw Nation.	D-622.

On the 5th day of March, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were also notified by registered mail that the application of Gertrude Le Flore for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 15th day of April, 1902, for final consideration.

Now on this 15th day of April, 1902, this cause coming on to be heard pursuant to said notice the Choctaw Nation failed to appear, and the applicant, being called, failed to appear either in person or by attorney.

----------:----------

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on April 15, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of April, 1902.

Hal Belford

Subscribed and sworn to before me this 18 day of April, 1902.

Clara Mitchell Wood

Notary Public.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
R. BRECKINRIDGE
ALLISON C. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

Choctaw D-622

Muskogee, Indian Territory, March 5, 1902.

Gertrude LeFlore,

Ft. Smith, Arkansas.

You are hereby notified that the application of yourself for enrollment as a citizen of the Choctaw Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the [illegible] day of April, 1902.

On said date you may, if you desire, appear before the Commission in person or by attorney when an opportunity will be given you to introduce any additional testimony affecting said application which you may think proper or necessary.

You are further notified that the representatives of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment, but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Register.

T. B. Needles.

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES,

MUSKOGEE, I.T., NOVEMBER 3, 1904.

In the matter of the application for the enrollment of Gertrude Le Flore as a citizen by intermarriage of the Choctaw Nation.

GERTRUDE MAY, being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q. What is your name? A. Gertrude May. That was my maiden name .
Q. How old are you? A. 21 years old.
Q. Where do you live? A. At present I live in Rogers, with my mother and father. I have been in Springfield, Mo. as a stenographer for the past year.
Q. Your present post office address is Rogers, Arkansas? A. Yes, sir.
Q. You were formerly the wife of Frank T. LeFlore, were yournot?
A. Yes, sir, and when his mother is at home I live with her in the Nation nearly into Fort Smith.
Q. When did you marry Frank LeFlore? A. December 27, 1900.
Q. Hoq long have you lived with him? A. Until about a year ago; I do not know exactly when it was.
Q. You have been divorced from him? A. Yes, sir, I got a divorce from him a short time after we separated.
Q. When were you divorced? A. About a year ago; my father attended to it for me.
Q. How long did you and Frank LeFlore live together after you were married in December, 1900? A. We lived together all that year and part of the next year I guess. That was in 1901 and part of 1902;I think I got my divorce last year.
Q. You mean in 1903 you got your divorce? A. Yes, sir, last year, my father got the divorce for me and I had very little to do with it myself because I was working.
Q. Do you remember when the Choctaws and Chickasaws voted on the Supplemental Agreement? A. No, sir.
Q. Were you living with your husband, Frank LeFlore, on the 25th of September, 1902, if you can fix that date? A. Yes, sir, we were in Rogers at their summer home in 1902.
Q. When did the separation occur? A. It occurred about November I really do not know when-- it was in the fall there somewhere.
Q. You lived with him from the time you married him in December 1900 up until--- A. Yes, sir, whenever he was at home.
Q. You say your name is May? A. Yes, sir. That was my name before I was married and when I got my divorce my maiden name was restored.
Q. When you married Mr. LeFlore where were you living? A. I lived in Rogers.
Q. Have you ever resided in the Indian Territory? A. Yes, sir.
Q. Where? A. Right across the line in Fort Smith and in what is known as the old LeFlore House in Fort Smith.

Q. Who did you live with? A. With my husband and his mother. What is her name? A. Mrs. Ida L. Foucer.
Q. How long have you lived with Mrs. Foucer? A. Why, after we were married we went from Rogers down there and we stayed there until hot weather and then we went to Rogers and stayed a while and then came back to Fort Smith and stayed three or four months and then we went back to Rogers again and I have been with her off and on ever since.
Q. Did Frank ever have a home anywhere? A. I think he had a farm in the Choctaw Nation.
Q. Did he ever live there? A. Before we were married.
Q. Did you ever live on his farm in the Nation? A. No, sir.
Q. You have not married since you were divorced from Frank LeFlore?
A. No, sir.

WITNESS EXCUSED.

Mildred S. Cummings, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she correctly reported the proceedings and testimony in the above entitled cause, and that the foregoing is a true and correct transcript of her stenographic notes thereof.

Mildred S. Cummings

Subscribed and sworn to before me this 3rd day of November, 1904.

Charles H. Sawyer
Notary Public.

7-D-622.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Gertrude LeFlore as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N.

It appears from the record in this case that the applicant, Gertrude LeFlore (nee May), on December 27, 1900, was married, under the laws of the state of Arkansas, to F. T. LeFlore, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name (as Frank T. LeFlore) appears as number 8173 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage the applicant herein was a resident of the state of Arkansas, and the said F. T. LeFlore was a resident in good faith of the Choctaw Nation; that soon after their marriage, in the state of Arkansas, they removed to the Choctaw Nation and lived together continuously, in said Nation, as husband and wife from the date of their removal up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Gertrude LeFlore should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Muskogee, Indian Territory,
JAN 19 1903

Commissioner.

Choctaw D622.

Muskogee, Indian Territory, January 12, 1905.

Gertrude LeFlore,

Rogers, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 12, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Chairman.

Registered.

Encl. 7-D-622.

Choctaw D-622.

Muskogee, Indian Territory, January 12, 1905.

W. C. Roberts,

Attorney at Law,

Rogers, Arkansas.

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes on January 12, 1905, rendered its decision granting the application of Gertrude LeFlore for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Chairman.

Registered.

Chootaw D-622.

Muskogee, Indian Territory, January 12, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission rendered January 12, 1905, granting the application of Gertrude LeFlore for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.
Encl. 7-D-622.
See Choctaw D-800 for registry receipt for this letter.

Marriage License

ISSUED TO

F. C. Le Flore

AND

Miss Frances G. May

[illegible] 27 day of Dec [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

FEB 28 1901

[signature] ACTING CHAIRMAN.

FILED FOR RECORD

[illegible] 28 [illegible] Dec [illegible] 0

[illegible] Casey, [illegible]

NOTE.—This License with the Certificate duly executed and officially signed, must be returned to the office whence it issued within sixty days from date of License, under penalty of forfeiture of License.

CERTIFICATE OF RECORD

MARRIAGE LICENSE

...STATE OF... ARKANSAS

..COUNTY OF.. BENTON

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to solemnize the Rites and publish the Bans of Matrimony between Mr. F. T. LeFlore of Ft Smith in the County of Sebastian and State of Arkansas aged 28 years, and Miss Frances G. May of Rogers in the County of Benton and State of Arkansas, aged 19 years, according to law, and do you officially sign and return this License to the parties herein named.

Witness my hand and Official Seal this 27 day of Dec A.D. 1900

F. C. Casey Clerk.
D.C.

CERTIFICATE OF MARRIAGE

State of Arkansas,
County of Benton } I, D. C. Boggs do hereby certify that on the 27 day of Dec A.D. 1900, I did duly and according to law, as commanded in the foregoing License, solemnize the Rites and publish the Bans of Matrimony between the parties therein named.

Witness my hand, this 28 day of Dec A.D. 1900

D. C. Boggs Minister Presbyter Church

Jackson

My Credentials are recorded in Recorder's office County, Arkansas Book Page

Muskogee, Indian Territory, March 12, 1901.

Frank T. Le Flore,

Fort Smith, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant enclosing certified copy of decree of divorce between Lillie Leflore and Frank Leflore and the same has been duly filed in the matter of the application of Gertrude Le Flore for enrollment as an intermarried citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-D-622

Choctaw D 622

Muskogee, Indian Territory, March 21, 1902.

Mrs. Ida L. Foucar,

Postoffice Box No. 777,

Fort Smith, Arkansas.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 19th instant, in which you desire to be advised if a notice was forwarded from this office to Mrs. Gertrude Le Flore or Mrs. Frank Le Flore relative to her right to enrollment as a citizen by intermarriage of the Choctaw Nation, stating that she appeared before the Commission at such applicant in March, 1901, but you are inclined to the opinion that Mrs. Frank Le Flore, the divorced wife of Frank Le Flore, has received the notice intended for the present Mrs. Frank Le Flore.

Replying to your inquiry you are advised that on March 5, 1902, the Commission addressed to Gertrude Leflore, at Fort Smith, Arkansas, the present wife of Frank Leflore, a notice advising her that the Commission would take up for final consideration her application for enrollment as a citizen by intermarriage of the Choctaw Nation on April 15, 1902.

Yours truly,

Commissioner in Charge.

Choctaw D 622

Muskogee, Indian Territory, April 2, 1902.

W. C. Roberts,

Attorney at Law,

Rogers, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 31, 1902, in which you state that Mrs. Gertrude LeFlore filed her application some time ago for enrollment as a citizen of the Choctaw Nation by virtue of her marriage to F. T. LeFlore, a citizen of the Choctaw Nation and that since filing her application she has secured a divorce from him. You desire to be informed if this action bars her.

Replying to your letter you are advised that the Commission does not desire at this time to pass upon the rights of Mrs. Gertrude LeFlore to enrollment as a citizen by intermarriage of the Choctaw Nation, but in this connection your attention is invited to the following provision of the act of the National Council of the Choctaw Nation of November 9, 1875:

"[redacted] person who shall lawfully marry, under the provisions of this act, and afterwards abandon his wife or her husband shall forfeit every right to citizenship, and shall be considered an intruder and removed from this Nation by order of the Principal Chief."

Yours truly,

Choctaw-D-622

Muskogee, Indian Territory, February 27, 1903.

Gertrude LeFlore,

Fort Smith, Arkansas.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903. The Act of Congress approved July 1, 1902, provides:

> "No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

7-3-622.

Muskogee, Indian Territory, August 16, 1904.

Gertrude LeFlore,

Fort Smith, Arkansas,

Dear Madam:

You are hereby notified that before further consideration can be given your application for enrollment as an intermarried citizen of the Choctaw Nation, it will be necessary for you to appear in person before the Commission to testify as to your intermarried status on September 25, 1902.

For this purpose you are requested to appear at Muskogee, Indian Territory, as soon as possible, or at the Land Office at Atoka, Indian Territory, on September the 6th or 7th, 1904, or at the Land Office at Tishomingo, Indian Territory, on September the 8th or 9th, 1904.

Respectfully,

Commissioner in Charge.

Choctaw D 622

Muskogee, Indian Territory, August 26, 1904.

Gertrude May,

Care International Harvester Company,

Springfield, Missouri,

Dear Madam:

Receipt is hereby acknowledged of your letter of August 22, in which you state that in March 1901, you made application for enrollment as an intermarried citizen of the Choctaw Nation; that one year thereafter you secured a divorce from your husband, F. T. LeFlore and your maiden name was restored. You wish to be informed if there is any use in your appearing before the Commission in regard to your allotment as you have little time and money to spend in this matter.

In reply to your letter you are advised that before the Commission can pass upon your application for enrollment as an intermarried citizen of the Choctaw Nation it will be necessary to have your testimony relative to your intermarried status on September 25, 1902. As to whether or not it will be any use for you to expend money in looking after the matter you are advised that the Commission cannot express any opinion upon this subject.

Respectfully,

Chairman.

7-2783

Muskogee, Indian Territory, March 2, 1905.

Frank T. LeFlore,

Featherston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 27, 1905, in which you ask if a decision has been rendered in the case of Gertrude LeFlore as an applicant for intermarried citizenship in the Choctaw Nation.

In reply to your letter you are informed that Gertrude LeFlore, formerly the wife of Frank T. LeFlore has been enrolled by the Commission as an intermarried citizen of the Choctaw Nation and her name has been placed upon a schedule of intermarried citizens of the Choctaw Nation which has been forwarded to the Secretary of the Interior, but the Commission has not yet, however, been advised of Departmental action thereon.

Respectfully,

Commissioner in Charge.

2784 Susan Woods Choc

Lyons Woods Transferred from Choctaw D-253
Jan 28, 1905

2784

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of:

LYONS WOODS.

7-D-253.

Commission to the Five Civilized Tribes,

Red Oak, Indian Territory.

In the enrollment of Lyons Woods as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

Q Your name is Lyons Woods? A Yes sir

Q What is your age? A I am thirty-eight.

Q You claim the right of enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir

Q To whom did you marry? A Maggie Parish was my first woman.

Q Was she a Choctaw citizen? A Yes sir

Q Did you obtain a license? A Yes sir

Q And paid the required amont of money for them? A Yes sir

Q Who issued this license? A Judge Forrest.

Q What became of that license, you married under that license did you? A Yes sir

Q Who performed the ceremony? A Judge Forrest.

Q In the Choctaw Nation? A Yes sir.

Q Did you live with that woman until she died? A No sir, we separated.

Q Did she obtain a divorce from you or you from her?

A She got a divorce from me.

Q Upon what ground? A I don't know.

Q How long did you live with her? A About two months.

Q Did she leave you or did you leave her? A She left first

Q And then you left? A Then I left. I was on the place making a crop, and she went to her sister's and she never did come back any more.

Q Did you try to get her to come back? A Yes sir, I went there and she wouldn't live with me.

Q Is she living now? A Yes sir, she is living.

(Lyons Woods, Joseph S. Forrest witness #1)

Joseph S. Forrest being sworn and examined testifies:

Q Your name is what? A Joseph S. Forrest.

Q How old? A Forty-eight years old

Q You are a Choctaw citizen are you? A Yes sir

Q Do you know Lyons Woods? A Yes sir

Q Do you know whether he obtained a license to marry his wife Maggie Parish? A Yes sir

Q Who issued that license? A I issued them myself.

Q What office were you filling at that time?

A I was County Judge at the time.

Q And under the Choctaw law had authority to issue the license?

A Yes sir.

Q Did he pay for the license regularly? A Yes sir.

Q You know whether he was married under that license?

A Yes sir I married him myself.

Q You had authority to marry him, as an officer? A Yessir

Q Was that in the Choctaw Nation? A Yes sir.

Q You remember, Judge, when it was? A In 1886 I think it was; I don't remember just the date.

Q Do you know anything about the circumstances of their separation? A Only just what I have heard.

I think I gave the license back to Mr. Woods.

Lyons Woods again testifies:

I don't think I had the license in my possession after I was married.

[illegible]

[illegible]erior,

M. D. Green

Choctaw D- 253

Muskogee, Indian Territory, February 28, 1902.

Lyons Woods,

Sans Bois, Indian Territory.

You are hereby notified that the application for enrollment of yourself as a citizen of the Choctaw Nation will be taken up by the Commission to the Five Civilized Tribes for final consideration at its office in Muskogee, Indian Territory, on the 7th day of April, 1902.

On said date, you may, if you desire, appear before the Commission in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting said application.

You are further notified that the Representatives of the Choctaw Nation will also at the same time be afforded an opportunity to introduce testimony affecting your right to enrollment, but said Representatives will be required to notify you of their intention to introducesuch testimony before they will be permitted to do so.

The Commission to the Five Civilized Tribes,

T. B. Needles.

Register. Commissioner in Charge.

Department of the Interior.

Commission to the Five Civilized Tribes.

In the matter of the application of Lyons Woods for enrollment as an intermarried citizen of the Choctaw Nation. ----D 253---

On the 26th day of February, 1902, the applicant was notified by registered mail, and on the 6th day of March, 1902, the attorneys for the Choctaw and Chickasaw Nations were notified by registered mail that the application of Lyons Woods for enrollment as a citizen of the Choctaw Nation would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 7th day of April, 1902, for final consideration.

Now, on the 7th day of April, 1902, this cause coming on to be heard pursuant to said notice, the following appearances were made:

A P P E A R A N C E S :

The applicant, Lyons Woods, in person, and by his attorney, W.E. Rogers, of South McAlester, I.T. : Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations.

Lyons Woods, the applicant, being first duly sworn, upon his oath testifies as follows:

Examination by Mr Cornish:

Q What is your name? A Lyons Woods.
Q Where do you live? A Vireton.
Q You are a white man? A Yes sir.
Q You claim citizenship by intermarriage? A Yes sir.
Q What is the name of your wife? A Margie Parrish.
Q Was she a Choctaw by blood? A Yes sir.
Q And recognized as such? A Yes sir.
Q When did you marry her? A Sixteen years ago.
Q Do you remember the year--was it about 1886? A I think so.
Q Where did you marry her? A I married her in Skullyville county.
Q How long did you live with her? A About a month.
Q You then separated? A Yes sir.
Q What was the cause of your separation? A Her brother-in-law---- they pulled him and took him to Fort Smith for introducing whiskey.
Q Has that any connection with your separation from your wife?
A He came and got my wife when he went off and took her over to stay with her sister.
Q Who was her sister? A Lizzie Evans.
Q You wife obtained a divorce from you in the Choctaw Court? A Yes sir.
Q In what county? A Skullyville.
Q Who was the Judge? A Lewis.
Q What Lewis? A Simon Lewis.

Q What did she allege in her petition as a reason why she should be granted a divorce from you? A I don't know, I was not there.
Q You know what she claimed? A I don't know what she claimed--McCurtain was her attorney.
Q Did you hear what she claimed? A No sir, only she got a divorce.
Q Did you contest the divorce? A No sir.
Q The decree of divorce was granted? A Yes sir.
Q How long after your marriage was it the divorce was granted?
A I don't remember just exactly.
Q She applied for divorce shortly after your separation? A Yes sir
Q You never lived with her after that time? A No sir.
Q Then the facts are as I understand them from you that you married this woman and lived with her about one month and separated, and that she applied for a divorce to the Choctaw Court, which divorce was granted? A Yes sir.

By Mr Rogers:

Q As I understood from you a few days agom you knew a reason why your wife was induced to leave you? --Now, tell the Commission how she was induced to leave you or why she left you---Did she leave of her own accord or was she induced to leave? A I think her sister and brother in law induced her to leave.
Q For what reason? A She had a place in Poteau Bottom and they got $500. a year rent and they got afraid that I would get her to sue for her part of the back rent; I don't know how long they had been getting that rent; they didn't want me to take her away from there at all.

Mr Cornish---The attorneys for the Choctaw Nation enter an objection to the preceding testimony.

Q Did you try to get your wife to live with you after she left you?
A I told her she had beetter come back home.
Q Did you ever try to get your wife to live with you after she abandoned you? A Yes sir.
Q Did anybody ever see or hear you try to get her to come back?
A Fred Almon was there.
Q Where was that? A I had overtaken her on the road.
Q Have you married again since that woman abandoned you? A Yes sir
Q Whom did you marry the second time? A Susie McGilberry.
Q Is she a white woman or an Indian? A Half breed.
Q Of what nation? A Choctaw Nation.
Q How long have you been married to her? A I have been married to her about fourteen years.
Q Have you any children by her? A Yes sir.
Q How many? A Two.
Q You and she are living together now? A Yes sir.
Q Near Vireton, Choctaw Nation, Indian Territory? A Yes sir.

By Mr Cornish:

Q Did you procure a license from the Choctaw Nation to marry your second wife? A No sir, didn't take out any license.

By Mr Rogers:

Q You were already a citizen of the Choctaw Nation by your first marriage? A Yes sir.

Lyons Woods-----3

The wife and children of this applicant appear upon Choctaw Card, No.2784.

By the Commission:

This case will be considered by the Commission upon the evidence and record as now made up.

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of April, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry C Risteen

Subscribed and sworn to beforeme this 9th day of April 1902

Clarence Tehellwood

Notary Public.

2-50

Choctaw D. #253.
Intermarried.

Department of the Interior
Commission to the Five Civilized Tribes.
South McAlester, Indian Territory
December 23, 1902.

-:-

In the matter of the application of Lyons Woods for enrollment as an intermarried citizen of the Choctaw Nation.

Lyons Woods being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Lyons Woods.
Q How old are you? A Forty-two.
Q What is your post office address? A Vireton.
Q Is that in the Choctaw Nation? A yes, sir.
Q How long have you been a resident of the Choctaw Nation? A About 18 years.
Q Have you lived here continuously for the past 18 years? A Yes, sir.
Q Never made your home any where else during that time? A No, sir.
Q Do you claim intermarried rights in the Choctaw Nation? A Yes, sir.
Q What is the name of the Choctaw woman through whom you claim these rights? A My wife Maggie Parish.
Q Was she a recognized and enrolled citizen of the Choctaw Nation? Yes, sir.
Q Were her rights as such ever disputed? A No, sir.
Q When were you married to her? A About sixteen years ago.
Q Where was this marriage ceremony performed? A Skullyville county.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes, sir.
Q Were you married under the Choctaw tribal license? A Yes, sir.
Q From whom did you get that license? A Judge Forrest, county judge.
Q How much did you pay for it? A $25.
Q Were you ever married before your marriage to Maggie Parish? A No, sir.
Q Was she ever married before her marriage to you? A No, sir.
Q After that marriage how long did you live together as husband and wife? A Lived together month or two I think, we separated
Q What was the cause of that separation? A She wanted me to go with her people and I didn't want to live there. I bought a place and we moved there and her sister and brother got into some trouble and they come there after my wife and I let her go.
Q Did she leave you? A Yes, sir.
Q Is that the only reason of your separation? A Yes, sir.
Q Were you divorced? A She got a divorce.
Q Where did she obtain the divorce? A Choctaw Court.

Choctaw D #253.
Intermarried.

Q What were the grounds upon which she obtained the divorce? A I don't know.
Q You never heard that? A No, sir.
Q After her divorce from you did you remarry? A Yes, sir.
Q What is the name of your second wife? A Susie McGillberry.
Q Was she a white woman? A Choctaw.
Q Does she claim intermarried rights as such? A Yes, sir.
Q When were you married to this woman? A About 12 years ago.
Q Are you still living with her? A Yes, sir.
Q Where were you married to her? A Sans Bois.
Q Did you obtain a livense to marry her? A No, sir.
Q Are you at present an actual and bona fide resident of the Choctaw Nation? A Yes, sir.

--:--

Chas. Diffendaffer, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause and that the foregoing is a full true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. Diffendaffer.

Subscribed and sworn to before me this 8th day of January 1903.

Chas. M. Sawyer
Notary Public.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lyons Woods as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-253.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

Attorneys for the Choctaw & Chickasaw Nations.

January 23, 1904.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lyons Woods as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-253.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw Nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeiture of citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

7-D-253.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lyons Woods as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the records herein that the applicant, about the year 1886, was married under the laws, customs and usages of the Choctaw Nation to Maggie Parish, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name (as Maggie Ward) appears as number 7852 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903, but whose enrollment was cancelled by the Secretary of the Interior on July 8, 1904, she having died prior to September 25, 1902; that at the time of said marriage both the persons above named were residents in good faith of the Choctaw Nation, and they lived together in said Nation for about a month, when they separated, and were afterwards divorced; that thereafter and about the year 1890 the applicant was married to Susan McGilberry, a recognized and enrolled citizen by blood of the Choctaw Nation whose name appears (as Susan Woods) as number 8174 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the said Nation, and approved by the Secretary of the Interior on January 17, 1903.

It further appears that the applicant herein was a resident in good faith of the Choctaw Nation from the time of his marriage to said Maggie Parish, about the year 1886, up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton

D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Lyons Woods should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JAN 12 1905

Choctaw D-253.

Muskogee, Indian Territory, January 12, 1905.

Lyons Woods,

Vireton, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 12,1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of the decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Chairman.

Registered.

Encl. 7-D-253.

Choctaw D-253.

COPY.

Muskogee, Indian Territory, January 12, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of this Commission rendered January 12, 1905, granting the application of Lyons Woods for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of said time no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

Chairman.

Registered.

Encl. 7-D-253.

See Choctaw D-800 for registery receipt for this letter.

7-D-253.

Lyons Woods,

Vireton, I.T.

Dear Sir:--

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it appears from your testimony given in 1899, that your former wife (Maggie Parish), through whom you claim, was then living. You are requested to at once advise the Commission by what name she was known at that time, and whether she is still living, and if so, her present name.

This information is needed in order that we may identify her as a recognized and enrolled Choctaw by blood.

You will please give this matter prompt attention as no further action can be taken in the matter of your application for enrollment until this information is furnished.

Respectfully,

Chairman.

Muskogee, Indian Territory, March 5, 1901.

Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you desire to be informed if the name of Lyon Woods has been listed for enrollment as a citizen by intermarriage of either the Choctaw or Chickasaw Nations; and, if so, that you be furnished with the number of the card upon which his name appears, his post office address, and also, if it appears from our records that he has remarried since his separation from his Indian wife. You also desire to be furnished with the present post-office address of the woman from whom he has separated, whose name is either Maggie Parish or Maggie Woods.

We have to inform you that it appears from our records that on June 19, 1899, Lyon Woods, thirty-eight years of age, of Sans Bois, Indian Territory, appeared before the Commission and made application for enrollment as a citizen by intermarriage of the Choctaw Nation. You have with the files of your office a copy of the testimony of Mr. Woods at Red Oak, Indian Territory, on June 19, 1899, and also a copy of the testimony of Joseph H. Forrest relative to this application. The statement upon the face of the card upon which Mr. Woods' name appears is as follows:

M.M. & C. #2.

"Married according to Choctaw law Maggie Parish a Choctaw citizen by blood. Lived with her about 2 months, they separated and she obtained a divorce in the Choctaw courts. As to marriage see testimony of himself and Judge Joseph S.Forrest. She is still living in Skullyville Co. Wife and children on Choctaw card No.2784"

The record on Choctaw roll card 2784, above referred to, is as follows:

"Susan Wood, a half blood Choctaw Indian, and her two children, George and Louis Woods, her daughter, Albert Folsom, her daughter, Lavinia Winlock, and her niece, Charlotte Winlock."

The Susan Woods above listed for enrollment appears to be the present wife to Lyon Woods. We are unable to find the name of either Maggie Parish or Maggie Woods upon our index of applicants listed for enrollment as citizens of the Choctaw Nation.

If you will furnish us with more specific information as to this woman, we will endeavor to locate her and furnish you with the desired information.

Yours truly,

Acting Chairman.

7-D-253

7 - 2784.

Choctaw D 253

Muskogee, Indian Territory, February 11, 1904.

Lyons Woods,

Vireton, Indian Territory,

Dear Sir:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as an intermarried citizen of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

(COPY)

Vireton, I.T. Oct 13-1904.

Com ission to the five Civilized tribe

In regar to mi wife In thee testimony I give in 1899 She had was married a man by the name of Silas Ward her name was Ward She is ded

Respectfully,

Lyons Woods.

(COPY)

Vireton, I.T. Oct 13-1904.

Commission to the five Civilized tribe

In regar to mi wife In thee testimony I give in 1899 She had was married a man by the name of Silas Ward her name was Ward She is ded

Respectfully,

Lyons Woods.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
7-D-253

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 20, 1904.

Lyons Woods,

Vireton, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 13th instant, stating that your former wife was married to a man by the name of Silas Ward and that she is dead. This letter appears to be in reply to our communication of recent date requesting information whereby your former wife Maggie Parish could be identified upon the tribal rolls of the Choctaw Nation. The information contained in your letter is not sufficient for that purpose.

You are kindly requested to state under what name she drew the 1893 leased district money and the County in which she then resided and if she was living in 1896, state the name she was known by at that time and with whom she was living.

You are further requested to give the names of her brother and sister referred to in your testimony of June 19, 1899, and again April 7, 1902, and also December 23, 1902. It is important that this information be furnished the Commission with as little delay as possible.

Respectfully,

Chairman.

7-D-253

Muskogee, Indian Territory, October 20, 1904.

Lyons Woods,

Vireton, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 13th instant, stating that your former wife was married to a man by the name of Silas Ward and that she is dead. This letter appears to be in reply to our communication of recent date requesting information whereby your former wife Maggie Parish could be identified upon the tribal rolls of the Choctaw Nation. The information contained in your letter is not sufficient for that purpose.

You are kindly requested to state under what name she drew the 1895 leased district money and the County in which she then resided and if she was living in 1896, state the name she was known by at that time and with whom she was living.

You are further requested to give the names of her brother and sister referred to in your testimony of June 19, 1899, and again April 7, 1902, and also December 23, 1902. It is important that this information be furnished the Commission with as little delay as possible.

Respectfully,

Chairman.

Cyrus B. ward & maggie Parrish married August 1889
died May 16 - 1900

Cyrus B. [illegible] [illegible] registered at
Spiro & Wister

7-D-253

Muskogee, Indian Territory, November 9, 1904.

Lyons Woods,

Vireton, Indian Territory.

Dear Sir:-

Receipt is hereby acknwleiged of your letter of October 20, 1904, giving the name of your former wife and the date of her death and the information contained therein has been made a part of the record in the matter of your application for enrollment as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

S-2784
7-5907

Muskogee, Indian Territory, March 10, 1905.

M. W. Kessler,

South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 6, 1905, asking if Lyons Woods and Henry Jennings have been approved by the Secretary of the Interior as intermarried citizens.

In reply to your letter you are informed that the Commission has not yet been advised of Departmental action on the schedule of intermarried citizens of the Choctaw Nation upon which appears the names of Lyons Woods and Henry C. Jennings, but the applicants will be notified when their enrollment is approved by the Secretary of the Interior.

The blank applications for the enrollment of infant children requested in your letter will be forwarded under separate cover.

Respectfully,

Chairman.

2785 John Folson

Choc

2785

Choctaw 2785
Choctaw Freedman
1109

Muskogee, Indian Territory, February 2, 1903.

John Folsom,

Juanita, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 29, in which you state that the land which you have selected for your allotment is now being claimed by a Choctaw Freedman, Willis Kingcaid, and you ask the Commission not to allow him to file on the said land.

In reply to your letter you are informed that the commission cannot at this time take cognizance of controversies arising between citizens and freedman of the Choctaw and Chickasaw Nations over the right to possession of individual tracts of the Choctaw-Chickasaw country. Matters of this character will receive its consideration upon the establishment of land offices, which will probably be opened some time between the first of March and the first of April, at which time the citizens of these two tribes may appear at the land office for the nation in which their land is located and make formal application for their allotments.

Respectfully,

Acting Chairman.

2786 David Folsom Choc

2786

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of /-

KATE McDANIEL, - - Choctaw - 2786

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, I. T., December 24th, 1902.

Choctaw 2786
Intermarried

--------oOo--------

In the matter of the application of Kate McDaniel for enrollment as an intermarried citizen of the Choctaw Nation.

Kate McDaniel being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Kate Mcpaniel.
Q How old areyou? A Twenty-three.
Q What is your post office address? A Durant.
Q How long have you lived in the Choctaw Nation? A About twelve years.
Q Lived here continuously for the past twelve years? A Yes sir.
Q You are a white woman? A Yes sir.
Q Where were you born? A Missouri.
Q A citizen of the United States? A Yes sir.
Q You are an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband? A McDaniel.
Q Was you ever married before you married him? A Yes sir.
Q How many times? A Once.
Q What was your husband's name? A David Folsom.
Q Was he a Choctaw Indian? A Yes sir.
Q Recognized member of the tribe? A Yes sir.
Q When did you marry him? A '95.
Q Was you ever married before your marriage to David Folsom?
A No sir.
Q Was he ever married prior to his marriage to you? A No sir.
Q Who married you and David Folsom? A Parson Dodson.
Q Were you and David Folsom both living in the Choctaw Nation when you were married? A Yes sir.
Q How long did you live with him? A Five years.
Q Is he dead? A Yes sir.
Q You lived with him until his death? A Yes sir.
Q Any separation, desertion or divorce? A No sir.
Q Have you since the death of David Folsom married? A Yes sir.
Q Who did you marry next time? A Tom McDaniel.
Q Is he a Choctaw? A Yes sir.
Q Recognized member of the tribe? A Yes sir.
QX Always been recognized? A Yes sir.
Q When did you marry Thomas Mcpaniel? A 1900.
Q Who married you? A Judge of Skullyville county.
Q Were you and Thomas McDaniel both residing in the Choctaw Nation at that time? A Yes sir.
Q Have you since your marriage to Thomas McDaniel in 1900 lived with him continuously? A Yes sir.

Q Been no separation, desertion or divorce? A No sir.
Q You and this man now live together as husband and wife, actual bona fide residents of the Choctaw Nation? A Yes sir.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 24th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G McMillan

Subscribed and sworn to before me this 10 day of February, 1903.

Charles D Sawyer

Notary Public.

Enc Y-1

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 7 1902

ACTING CHAIRMAN.

CHOCTAW.

F822

ED McDANIEL.

DEALER IN

Live Stock and Hay.

E

COWLINGTON, I. T., ——————— 190

This Certifies that

Thomas McDaniel and Katie Folsom

of Cowlington Ind Terr.

were united in the Holy Matrimony

at Spiro I. T. according to the

Ordinances of God and the Laws

of the Choctaw Nation of Indian

Territory on the 16th of October 1900.

By Jeff D Ward.

County Judge

of

Skullyville Co.

Choctaw Nat.

Witnesses { Geo. W. Cox
John Harrison

I Walter Beard Mayor of Poteau I T

Certify that the above is a just true and correct

copy of the marriage certificate of Thomas McDaniel

of Cowlington and Kate Folsom of same place

as exhibited to me at my office in Poteau I T

Witness my hand and seal of Office

this 3rd day of Mar 1902

Walter Beard

Mayor of Poteau I T

7 - 2786

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Kate McDaniel as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

It appears from the record herein that Kate McDaniel (formerly Folsom), on October 16, 1900, was lawfully married to Thomas McDaniel, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 13659 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stats., 641) of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on March 19, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Kate McDaniel should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,

JUL 30 1903

Choctaw-2786

COPY.

Muskogee, Indian Territory, July 30, 1903.

Kate McDaniel,

Durant, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. B. Needles.
Commissioner in Charge.

Registered.

Enc.HO.23/30

Choctaw-2136

COPY.

Muskogee, Indian Territory, July 30, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 30, 1903, granting the application of Kate McDaniel, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Registered.

Enc.HG.24/30

CHOCTAW.

INDEXED

32

IN RE
THE DEATH OF

David Folsom,

a citizen of the

Choctaw *Nation.*

Approved FEB 14 1902

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 14 1902

ACTING CHAIRMAN.

CHOCTAW.

2786

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of David Folsom (Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Ward (Here insert name of post office.), Ind. Ter., and died on the 4 day of February,
1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Thomas E McDaniel on oath state that I am 25
years of age and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Lowlington (Here insert name of post office.), Ind. Ter.; that I am
cousin (State relationship, as: the father; an uncle; a cousin, etc.) of David Folsom (Here insert name of deceased.),
who was a citizen, by Blood, of the Choctaw Nation;
and that said David Folsom (Here insert name of deceased.) died on the 4 day of
February, 1900 Thomas E McDaniel

WITNESSES TO MARK. (Must be Two Witnesses) J. R. Stiles

Subscribed and sworn to before me this 11 day of February 1902.
Williamson G Long
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Silas W James, on oath state that I am 56
years of age, and a citizen, by Blood, of the Choctaw Nation;
that my post office address is Bokoshe (Here insert name of post office.), Ind. Ter.;
that I was personally acquainted with David Folsom (Here insert name of deceased.)
who was a citizen, by Blood, of the Choctaw Nation;
and that said David Folsom (Here insert name of deceased.) died on the 4 day of
February, 1900 Silas W. James

WITNESSES TO MARK. (Must be Two Witnesses) J. R. Stiles

Subscribed and sworn to before me this 11 day of February 1902
Williamson G Long
Notary Public

Cowlington I. T.
Sept 2nd 1896

This is to certify that I, J W Dodson a minister of the Gospel did on the 6th of January 1895 celebrate and publish the Bands of Matrimony between David Fulsom and Kattie Norman both of Scullyville County Indian Territory. My Credentials are recorded at South McAlester, 2nd Judicial Division in U. S. Court, Book A,

J W. Dodson
M. G.

This is to certify, that the [illegible]

[illegible] Scullyville County,

in Book No [illegible]

J. K. Ward
[illegible]

Muskogee, Indian Territory, January 28, 1902.

Katie Folsom,

Ward, Indian Territory.

Dear Madam:

The Commission has received information of the death of your husband David Folsom, since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record there is enclosed you herewith a blank for proof of death which you are kindly requested to have properly executed at your earliest convenience and return to this office in the enclosed envelope which requires no postage.

You will notice that there is an affidavit for an acquaintance and a relative. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark that such signatures be attested by two disinterested parties witnesses thereto.

The notary public before whom the affidavits are

K. F. 2.

acknowledged must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Env.
D. C.
7-2786

Acting Chairman.

7-2053
7-2786

Muskogee, Indian Territory, February 14, 1902.

Mrs. Katie Folsom McDaniel,

Cowlington, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 11th instant in which you state that since the death of your former husband, David Folsom, you have married Thomas McDaniel, a citizen by blood of the Choctaw Nation, and enclose the affidavits of Thomas P. McDaniel and Silas W. James as to the death of David Folsom on the 4th day of February, 1900.

These affidavits being in proper form have been accepted and filed with the records of the Commission as evidence of the death of your former husband, David Folsom.

The Commission has to note that on May 29, 1899, when Thomas McDaniel , your present husband, was listed for enrollment as a citizen of the Choctaw Nation, he was married and living with a woman named Melvina Folsom. If she is now dead, the Commission has to request that there be submitted proof of her death and for this purpose there is enclosed herewith a blank upon which may be stated all the information necessary in the matter of her death.

It will also be necessary that you supply either the original or certified copy of your marriage license and certificate

to Thomas McDaniel as authority for the changing of your name upon our records from your former name of Folsom to your present name of McDaniel. This matter should receive your prompt attention.

Yours truly,

Commissioner in Charge.

DC

7-2786

Choctaw 2786
Chickasaw 638

Muskogee, Indian Territory, February 24, 1902.

Thomas McDaniel,

Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, in which you state that you have married Katie Folsom and desire to have her name changed upon the roll to her present name of Katie McDaniel.

Receipt is also acknowledged of letter of your wife, Mrs. Katie Folsom McDaniel, of February 21, 1902, in which she states that you have never been married previous to your marriage to her and enclosing a copy of the certificate of Jeff D. Ward as to the marriage of Thomas McDaniel and Katie Folsom on the 16th day of October, 1900.

In connection with this matter you are requested to state your age, the names of your parents and the time and place application was made to this Commission for your enrollment.

The copy of the marriage certificate between yourself and Katie Folsom is returned to you herewith, with the request that you forward either the original certificate or a certified copy thereof, as authority for the changing of the name of Katie Folsom

T McD 2

upon our records to her present name of Katie McDaniel.

Please give this matter your prompt attention.

Yours truly,

Commissioner in Charge.

Enc Y-1

Choctaw 2786

Muskogee, Indian Territory, March 10, 1902.

Thomas McDaniel,

Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 4th instant, enclosing certified copy of the certificate of Jeff D. Ward, as to the marriage of Thomas McDaniel and Katie Folsom on the 16th day of October, 1900, and the same has been duly filed with the records of this office.

Yours truly,

Commissioner in Charge.

Choctaw 2786

Muskogee, Indian Territory, June 25, 1902.

Thomas McDaniel,

Covington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, enclosing the affidavit of J. E. Beckett, M. D. as to the birth ofyour child on the 18th day of June, 1902, and requesting that this child be enrolled as a citizen of the Choctaw Nation.

The affidavit of J. E. Beckett is returned to you herewith and you are advised that for the purpose of the application for enrollment of an infant child, the Commission uses a blank, one of which is enclosed you herewith. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in event either of the persons whose names are to be affixed to the affidavits are unable to write and theirsignatures are by mark, that such signatures be attested by two disinterested persons, witnesses thereto.

The notary public before whom the acknowledgments of the mother and the attending physician or nurse are made must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

EC
Enc Y 35

7-2786
9-638

Muskogee, Indian Territory, July 25, 1902.

Thomas E. McDaniel,
Cowlington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Velma A. McDaniel, infant daughter of Thomas E. and Kate McDaniel, born June 16, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-2055
7-2786

Muskogee, Indian Territory, October 10, 1902.

Thomas McDaniel,

Cowlington, Indian Territory,

Dear Sir:

On February 11, 1902, the Commission received a letter from Mrs. Katie Folsom McDaniel, in which it was stated that she had married Thomas McDaniel, a citizen by blood of the Choctaw Nation, presumably yourself.

It appears from the records of the Commission that on May 29, 1899, when you were listed for enrollment as a citizen of the Choctaw Nation, there was listed with you your wife Melvina McDaniel. You are requested to inform the Commission whether your wife, Melvina McDaniel, is dead and, if so, kindly fill out the blank for proof of death, enclosed herewith, and return with as little delay as possible. It is also necessary that the Commission be supplied with either the original or a certified copy of the marriage license and certificate between yourself and Mrs. Katie Folsom McDaniel. These matters should receive your immediate attention.

An envelope for your reply is enclosed herewith.

Respectfully,

D.C.
Env.

Commissioner in charge.

Choctaw-2786

Muskogee, Indian Territory, April 25, 1903.

Kate McDaniel,

Durant, Indian Territory.

Dear Madam:

It appears from the records of the Commission that you are an applicant for enrollment as a citizen by intermarriage of the Choctaw Nation, by reason of your marriage with Thomas McDaniel, a recognized and enrolled citizen by blood of the Choctaw Nation.

It further appears that in your testimony taken at South McAlester, Indian Territory, on December 24, 1902, you stated that you had been married twice before you were married to your present husband, Thomas McDaniel, but you gave the name of only one of your former husbands, viz.: David Folsom.

You are requested to furnish the Commission with a sworn statement as to the name of your other husband, whether or not he was dead when you remarried, or if you were divorced from him. If you procured a divorce, then it will be necessary for you to furnish the Commission with either the original or a certified copy of the decree of divorce. This matter should receive immediate attention.

Respectfully,

Chairman.

Choctaw-2786

Muskogee, Indian Territory, April 30, 1903.

Mrs. Kate McDaniel,

Durant, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of April 26, 1903, relative to your testimony given before the Commission at South McAlester, Indian Territory, and same has been duly filed with the papers in your case.

Respectfully,

Chairman.

2787 Leonidas merryman doc

2787

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

Sarah Merryman 7-2787.

Department of the Interior
Commission to the Five Civilized Tribes
Wister, I. T., December 18th, 1902.

Choctaw 2787
Intermarried

---------oOo---------

In the matter of the application of Sarah Merryman for enrollment as an intermarried citizen of the Choctaw Nation.

Sarah Merryman being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Sarah Merryman.
Q How old are you? A Twenty-seven.
Q What is your post office address? A Spiro.
Q How long have you been a resident of the Choctaw Nation?
A About twenty years.
Q Have you lived here continuously for the past twenty years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Leonidas Merryman.
Q Is he a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to Leonidas Merryman? A 1895.
Q Where was this marriage ceremony performed? A At Skullyville.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the tribal law? A Yes sir.
Q Who performed the marriage ceremony? A Joe Ward.
Q Minister of the gospel? A No sir, he was a judge.
Q Of what county? A Skullyville.
Q Were you married under a license? A No sir, marriage certificate.
Q Were you ever married previous to your marriage to Leonidas Merryman? A No sir.
Q Was he ever married previous to his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you an applicant before this Commission in 1896 for admission to citizenship in the Choctaw Nation? A My husband sent my name in when they was at Spiro.
Q Do you know anything about having made application there personally or through any one else prior to your enrollment at Spiro?
A No sir.

Sarah Merryman----2

Statement by Commission to applicant:
It appears from the records of the Commission that application was made for you in 1896 and at that time your application was denied.

- - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five CivilizednTribes he reported the proceedings had in the above entitled cause on the 18th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles Hetherington

Notary Public.

7-2[illegible].

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Sarah Merriman as a citizen by intermarriage of the Choctaw Nation.

--: D E C I S I O N :--

It appears from the census card record of the Commission that on June 15, 1899 Sarah Merriman made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation. Further proceedings were had in the matter of said application at Wister, Indian Territory, on December 16, 1902.

It appears from the record herein that on February 3, 1895 the applicant Sarah Merriman (nee Chapman) was lawfully married to Leonidas Merriman, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 6161 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they lived together continuously as husband and wife in said nation from the date of said marriage up to and including September 25, 1902.

It appears from the records of the Commission that on September 5, 1896, in the case entitled "Sarah Merriman vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 345), the applicant Sarah Merriman made original application to the Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming the right thereto by virtue of her marriage with the said Leonidas Merriman, and on December 2, 1896 the said Sarah Merriman was by this Commission denied admission to citizenship in the Choctaw Nation as a citizen by intermarriage from which decision of the Commission no appeal was taken.

Upon an examination of the tribal rolls in the possession of the Commission the applicant (as Sally Merriman) is identified upon the 1896 Choctaw Census Roll, Skullyville County, number 14[illegible], enrolled the same as a citizen by intermarriage of said nation.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Angeline White (1 L.D.D.113-1905) Sarah Merriman should be enrolled as a

citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the Acts of Congress approved June 2[illegible], 1898 (30 Stat. 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

MAR 29 1905

7-2787

COPY.

Muskogee, Indian Territory, March 29, 1905.

Sarah Merryman,

Spiro, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered March 29, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-2787.

7-2787

COPY.

Muskogee, Indian Territory, March 29, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered March 29, 1905, granting the application for the enrollment of Sarah Merryman as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Tams Bixby

Chairman.

Registered.

Incl. 7-2787.

See 7-3547 for registry receipt for this letter.

S.C.
21.7.

7-2787.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

------o------

In the matter of the application for the enrollment of Sarah Merryman as a citizen by intermarriage of the Choctaw Nation.

-- -- -- -- -- -- -- -- --

D E C I S I O N .

It appears from the record herein that Sarah Merryman, nee Chapman, or Chatman, appeared before the Commission and made personal application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming her right thereto by virtue of her marriage to Leonidas Merryman, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as No. 8181 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903.

It further appears from the record herein that on February 3, 1895, the applicant herein was lawfully married to the said Leonidas Merryman, and from an examination of the tribal rolls it is found that the name of Sarah Merryman (as Sally Merryman) appears upon the 1896 Choctaw Census Roll of intermarried persons, Skullyville County, No. 14799.

It further appears from the records of the Commission that on September 5, 1896, in the case entitled "Sarah Merryman vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, page 345), the applicant herein made original application to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission to citizenship in the Choctaw Nation, claiming her right thereto by virtue of her marriage with the said Leonidas Merryman, and that on December 2, 1896, the applicant herein was by this Commission denied the right to citizenship in the Choctaw Nation, from which decision of the Commission no appeal was taken.

It further appears from the evidence in this case that at the time of the marriage of the said Sarah Merryman and Leonidas Merryman, both persons were residents in good faith of the Choctaw Nation, andthat they lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is the opinion of this Commission that its action upon the petition of said applicant herein for citizenship under

the act of Congress approved June 10, 1896, was without authority of law and of no force and effect upon the status of this applicant as a citizen of the Choctaw Nation, and also that Sarah Merryman is a citizen by intermarriage of the Choctaw Nation and should be enrolled as such, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

_____

Chairman.

_____

Commissioner.

_____

Commissioner.

_____

Commissioner.

Muskogee, Indian Territory.

_____

2787

20

IN RE

Application for Enrollment of

INFANT CHILD.

Lee Roy Merryman.

As a citizen of the

Choctaw Nation.

Approved DEC 13 1899 1

A S Mercer

Commissioner.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Lee Roy Merryman, born on the 6th day of September, 1899.
Name of father: Leonidus E Merryman, a citizen of the Choctaw Nation.
Name of mother: Bally Merryman, a citizen of the Choctaw Nation.
Post Office: Oak Lodge I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Durant District.

I, Bally Merryman, on oath, state that I am 22 years of age and a citizen, by Intermarriage, of the Choctaw Nation; that I am the lawful wife of Leonidus E Merryman who is a citizen, by Blood, of the Choctaw Nation; that a Boy child was born to me on the 6th day of Sept, 1899; that said child has been named Lee Roy Merryman, and is now living.

Bally her + Merryman
mark

Subscribed and sworn to before me this 14th day of September, 1899.

J. A. Bowman
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Durant District.

I, Julia Jones, a Midwife, on oath, state that I attended on Mrs. Bally Merryman, wife of Leonidus E Merryman on the 6th day of Sept, 1899; that there was born to her on said date a Boy child; that said child is now living and is said to have been named Lee Roy Merryman

Julia her + Jones
mark

Subscribed and sworn to before me this 14th day of Sept, 1899.

J. A. Bowman
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Louis C. W. Montgomery

As a citizen of the

Choctaw Nation.

Approved [illegible] 26 1902

Commissioner.

Card No. 2787

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Daniel W. Merryman, born on the 22 day of July, 1897.

Name of father: Leonidas E. Merryman, a citizen of the Choctaw Nation.

Name of mother: Sarah Merryman, a citizen by intermarriage of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Sarah Merryman, on oath, state that I am 22 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Leonidas E. Merryman who is a citizen, by blood, of the Choctaw Nation; that a Boy child was born to me on the 22 day of July, 1897; that said child has been named Daniel W. Merryman, and is now living.

Sarah her mark Merryman

Subscribed and sworn to before me this 15th day of June, 1898.

J. A. Bodman
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, F. W. Johnson, a Physician, on oath, state that I attended on Mrs. Sarah Merryman wife of Leonidas E. Merryman on the 22 day of July, 1897; that there was born to her on said date a child; that said child is now living and is said to have been named Daniel W. Merryman.

F. W. Johnson M.D.

Subscribed and sworn to before me this 15th day of June, 1898.

J. A. Bodman
Notary Public.

My Commission Expires [illegible] 1900

I do certify that
I have day joined
Mr. C. E. Merryman
and Miss Lolly Chalman
in the Holy Bonds of
matrimony according to
the laws of the Choctaw
Nation this the 3th ~~1895~~
day of February 1895

J. H. Ward
County
Judge of
Skullyville
Co. C. N.

I do hereby certify that the above ~~xxxxxx~~
marriage Certificate was duly recorded by me in the
Records of Skullyville County, in Book No I Page 513
This the 9th' day of Feb' 1895

J. D. Ward
Co' Clerk;

I do hereby
Certify that this is
a true and correct
Copy of the marriage
of L. E. Merryman
and Sally Chapman
recorded in Book #1
on Page 513.

Given under my hand
and seal this the
20th day of Dec 1902

Edwin Heckman
Clerk,
[illegible] Co
[illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN
[illegible]
[illegible] Chairman

...Office of...
Clerk and Treasurer
Scullyville County
Choctaw Nation

190

I hereby Certify that I have this day joined L. E Merryman and Miss Sally Chisman in the holy bonds of matrimony according to the Laws of the Choctaw Nation This the 3rd day of Feb 1895

H. Ward
County Judge of
Skullyville County C N.

I do hereby certify that the above is a true and correct copy of the original presented to me for record This the 9th day of Feb ~~1893~~ 1895

J D Ward
County Clerk.
Skullyville County C N

Record Book #1 Page 513

20

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

.....Nation.

Approved MAR 26 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 26 1902

ACTING CHAIRMAN.

Hold for Law

217

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Theodore Merryman, born on the 4th day of February, 1902
(Here insert name of child)

Name of Father: Leonidas, E. Merryman a citizen of the Choctaw Nation.

Name of Mother: Sarah Merryman a citizen of the Choctaw Nation.

Post-office Skirt Dock Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Central District.

I, Sarah Merryman, on oath state that I am Twenty five years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Leonidas, E. Merryman, who is a citizen, by Blood, of the Choctaw Nation; that a Boy (male or female) child was born to me on the 4th day of February 1902; that said child has been named Theodore Merryman and is now living.

Sarah her + mark Merryman

WITNESSES TO MARK:

(Must be Two Witnesses) Jas. E. Cromwell
Lee O. Griffith

Subscribed and sworn to before me this 24th *day of* March 1902.

J. H. Bowman
My Commission Expires 3d Feb 1906
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Francis C. Burgoin, a Physician, on oath state that I attended on Mrs. Sarah Merryman, wife of Leonidas C. Merryman on the 4th day of February, 1902; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Theodore Merryman

Francis C. Burgoin M. D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this day of 190

J. H. Bowman
NOTARY PUBLIC

7-2787

Muskogee, Indian Territory, March 26, 1902.

Leonidas K. Merryman,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Theodore Merryman, the infant son of Leonidas K. and Sarah Merryman born February 4, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Spiro, I. T.

Dec 20-1902.

To The Hon Dawes Commission,

Muscogee, Ind Terry

Honored Sirs;

I have just been informed by your clerks at Wister, I. T. That my wife right as a citizen by marriage has been denied

When your Honorable Body was here at Spiro enrolling I presented myself and wife and ~~child~~ children for enrollment and furnished you proof of our marriage by then filing with you our marriage Certificate, And I have been under the impression ever since that her name was on the rolls as citizen by Marriage.

Will you by enough too inform me on what ground her citizenship is denied.

Respectfully

Leonidas E. Merryman

Chootaw 2787

Muskogee, Indian Territory, January 3, 1903.

Leonidas Merryman,

Oaklodge, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of certified copy of marriage certificate between L. F. Merryman and Sally Chatman, of February 3, 1895, and the same has been filed with the record in the matter of the enrollment of Sarah Merryman as an intermarried citizen of the Chootaw Nation.

Respectfully,

Acting Chairman.

Choctaw 2787

Muskogee, Indian Territory, February 27, 1904.

James [illegible]. Newman,

Oak Lodge, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 27, 1904, to the Secretary of the Interior which has been by the Commissioner of Indian Affairs referred to the Commission for consideration and appropriate action. Therein you ask the status of the enrollment of Sallie Merryman, wife of Leonidus E. Merryman.

In reply to your letter you are advised that the commission has not yet passed upon the application of Sarah Merryman, wife of Leonidas Merryman, for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case she will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Choctaw 2787

Muskogee, Indian Territory, July 22, 1904.

Leonidus E. Merryman,

Oaklodge, Indian Territory,

Dear Sir:

Your letter of July 3, addressed to the Secretary of the Interior, has been by him referred to the Commission for appropriate action. Therein you ask the status of the case of your wife, Sarah Merryman, as an intermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that the Commission has not yet passed upon the application of Sarah Merryman for enrollment as an intermarried citizen of the Choctaw Nation. When a decision is reached she will be notified of the action taken.

You are informed that the Commission is passing upon applications for enrollment as citizens of the Choctaw and Chickasaw Nations pending before it as rapidly as practicable, and it is probable that a decision will be reached in this case within the near future.

Respectfully,

Commissioner in Charge.

Choctaw 2787

Muskogee, Indian Territory, February 3, 1903.

Leonidas Merryman,

Spiro,, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter without date, relative to the status of the application of your wife, Sarah Merryman, for enrollment as aintermarried citizen of the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Sarah Merryman was an applicant to the Commission in 1896 for admission as an intermarried citizen of the Choctaw Nation, which petition was denied, and that no appeal was taken from said decision to the United States Court in Indian Territory within the time provided by law.

You are further advised that the Commission has not yet passed upon her application for enrollment as an intermarried citizen of the Choctaw Nation, but as soon as a decision is reached she will be notified of the action taken therein.

Respectfully,

Chairman.

Choctaw 2787

Muskogee, Indian Territory, February 6, 1905.

James H. Bowman,

Oak Lodge, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 27, asking if Sallie Merryman, wife of Leonidas E. Merryman has been recognized as a citizen of the Choctaw Nation.

In reply to your letter you are advised that the Commission has not yet passed upon the application of Sarah Merryman, wife of Leonidas Merryman, for enrollment as an intermarried citizen of the Choctaw Nation. As soon as a decision is reached in this case she will be notified of the action taken therein.

Respectfully,

Commissioner in charge.

Choctaw 2787

Muskogee, Indian Territory, March 29, 1907.

Sarah Merryman,

Spiro, :, Indian Territory,

Dear Madam:

You are hereby advised that in accordance with an opinion of the Attorney General of the United States of February 19, 1907, the Secretary of the Interior on March 4, 1907, directed the cancellation of your enrollment upon the roll of citizens by marriage of the Choctaw Nation.

Your name has accordingly been stricken from the copy of said roll in the possession of this office.

Respectfully,

Acting Commissioner.

C O P Y.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

Address only
The Secretary of the Interior.

G W W

January 19, 1909.

File-5-51.

The Commissioner to the
Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Goldsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Goldsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon approved rolls of citizenship had attempted to strike them from those rolls without notice and an opportunity to be heard. The decision of the Supreme Court is that mandate shall issued in those cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conferences between this Department and the Department of Justice it was decided that judgment should be allowed in all pending mandamus actions in

which the relators stand clearly in the same position as Goldsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the above decisions of the Supreme Court, you are hereby directed to erase the interlineations and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD PRIOR TO THE GOLDSBY DECISION INSTITUTED SUITS, THE PRINCIPLES OF WHICH ARE UNDOUBTEDLY SIMILAR TO THE OPINION OF THE SUPREME COURT IN THAT DECISION.

Chickasaws by Blood.

Roll No.	Name.	Suit No.	Court.
4984	Goldsby, John E.	248	U.S.S.C.
4985	Goldsby, Linniel E.	50033	S.C.D.C.
4986	Goldsby, Bessie	50033	S.C.D.C.
4987	Goldsby, Murray M.	50033	S.C.D.C.
4969	Vaughan, Edward A.	372	U.S.S.C.
4970	Vaughan, Grover C.	371	U.S.S.C.
4971	Vaughan, Oscar S.	371	U.S.S.C.

Chickasaws by Intermarriage.

621	Adams, John Quincy	50033	S.C.D.C.
621	Lancaster, William T.	50033	S.C.D.C.
606	McCoy, Clay	49358	S.C.D.C.
631	Ragland, James W.	51025	S.C.D.C.
596	St. John, Thomas	50353	S.C.D.C.
605	Vaughan, Benjamin F.	373	U.S.S.C.

Roll No.	Name.	Suit No.	Court.
15027	Adams, Wiley	50033	S.C.D.C.
16048	Autrey, Columbus S.	49722	S.C.D.C.
16040	Beaver, Gertrude	50033	S.C.D.C.
16041	Beaver, Clarence	50033	S.C.D.C.
16042	Beaver, Nellie	50033	S.C.D.C.
16043	Beaver, Myrtle	50033	S.C.D.C.
15917	Beagles, Nellie F.	50033	S.C.D.C.
15911	Crowder, Van	50033	S.C.D.C.
15910	Crowder, Willie	50033	S.C.D.C.
15909	Crowder, Belzooi	50033	S.C.D.C.
15908	Crowder, Joe	50033	S.C.D.C.
15907	Crowder, Louisa	50033	S.C.D.C.
15906	Crowder, George W.	50033	S.C.D.C.
16050	Green, Teddy	49724	S.C.D.C.
16049	Green, Lenora	49724	S.C.D.C.
16033	Howard, Thomas J.	50033	S.C.D.C.
16034	Howard, Horace	50033	S.C.D.C.
16035	Howard, Lonnie	50033	S.C.D.C.
16036	Howard, Emery	50033	S.C.D.C.
16037	Howard, Elmer	50033	S.C.D.C.
16038	Howard, Bettie Perney	50033	S.C.D.C.
16039	Howard, Dora Lee	50033	S.C.D.C.
15451	James, (or Richardson), Maggie M.	50033	S.C.D.C.

Roll No.	Name.	Suit No.	Court.
15452	James, Ellis E.	50033	S.C.D.C.
15453	James, Analaurie	50033	S.C.D.C.
15454	James, Evalina	50033	S.C.D.C.
15961	James, Agnes	50033	S.C.D.C.
15394	Kirk, Gabriella	50355	S.C.D.C.
15393	Kirk, Sarah	50355	S.C.D.C.
15953	Shelton, Emma	51240	S.C.D.C.
15952	Shelton, Frank	51240	S.C.D.C.
15645	Sumpter, John	50033	S.C.D.C.
15646	Sumpter, Amanda Isabella	50033	S.C.D.C.
15647	Sumpter, Jim Andy	50033 51240	S.C D.C.
15648	Sumpter, Scott Taylor	50033 51240	S.C.D.C.
15649	Sumpter, Dixon D.	51240	S.C.D.C.
15912	Wright, Betsy	50033	S.C.D.C.
15913	Wright, Thomas E.	50033	S.C.D.C.
15914	Wright, Mary M.	50033	S.C.D.C.
15915	Wright, Lenard D.	50033	S.C.D.C.
	Choctaws by Marriage.		
1628	Allen, Andrew J.	50033	S.C.D.C.
1409	Atwood, Chester C.	50353	S.C.D.C.
1473	Beal, Andrew	50947	S.C.D.C.
1408	Bowling, Mary M.	51026 50033	S.C.D.C.

Roll No.	Name.	Suit No.	Court.
1543	Carter, John W.	50534	S.C.D.C.
1464	Cummings, Henry A.	50033	S.C.D.C.
1524	Crowder, Parlee C.	50033	S.C.D.C.
1329	Harris, Calvin Q.	49723	S.C.D.C.
1578	Howard, Carrie	50033	S.C.D.C.
1399	Kirk, J. W.	50354	S.C.D.C.
290	Klugh, August	50033	S.C.D.C.
1027	Perkins, Hattie A.	50353	S.C.D.C.
1491	Reichert, William	51026	S.C.D.C.
1400	Rice, Ambrose L.	374	S.C.D.C.
1423	Shults (or Shultz) Fannie	51026	S.C.D.C.
1495	Shelton, John	50946	S.C.D.C.
1469	Sumpter, Jacob, D.	50033	S.C.D.C.
340	Travis, Robert A.	50948	S.C.D.C.
1403	White, Angelina	51026	S.C.D.C.
662	Woodard, Charles A.	49494	S.C.D.C.

Minor Choctaws.

Act of Congress Approved April 26, 1906.

367	Barnett, Effie	50033	S.C.D.C.
457	Beaver, Hazel Calvin	50033	S.C.D.C.
458	Beaver, Claud D.	50033	S.C.D.C.
459	Herbert, Howard	50033	S.C.D.C.
674	Crowder, Nettie Myrl	50033	S.C.D.C.
685	Green, Lee	49724	S.C.D.C.
253	Wright, Fannie Jane	50033	S.C.D.C.

Cherokees by Blood.

Roll No.	Name.	Suit No.	Court.
31910	Allison, John	49434	S.C.D.C.
31960	Allison, Johnnie S.	49436	S.C.D.C.
31961	Allison, Frankie P.	49437	S.C.D.C.
31956	Allison, Ida B.	249	U.S.S.C.
31957	Allison, George A.	250	U.S.S.C.

A careful investigation of those names concerning which no suits were brought, but which, after being upon an approved roll of citizens or freedmen of any of the Five Civilized Tribes, were stricken therefrom without notice and an opportunity to be heard, has thus far developed a list which undoubtedly falls within the principles expressed by the Supreme Court in the Goldsby decision. All these persons are in the same position as those named in the above list of those who had filed suits prior to that decision. It follows necessarily that, if suits were instituted in these cases, judgment must be allowed as was done in the case of the names on the above list. For this reason I have decided that it would be improper to delay the correction of the rolls as far as these persons are concerned. Such delay would continue the rolls in an incorrect condition according to the opinion of the Supreme Court, would bring hardship and expense upon the citizens and freedmen involved, and would delay completion of the work of the Commission to the Five Civilized Tribes.

The correction of the rolls in these cases does not add names to the rolls, but merely erases from the rolls interlineations and notations which the court says the Secretary of the Interior has not power to place there. For those reasons you are hereby d directed to erase the interlineations and notations which purport to strike any of the following names from the tolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD NOT INSTITUTED SUITS PRIOR TO THE GOLDSBY DECISION BUT WHOSE CASES FALL INDUBITABLY UNDER THE PRINCIPLES OF THAT DECISION.

Chickasaws by Blood.

Roll No.	Name.	Roll No.	Name.
5013	Perry, Joe	5014	Perry, Dillard

Chickasaws by Marriage.

622	Archerd, John W.	629	Shanks, Mary A.
626	Hargis, Sallie J.	514	Ramsey, Gustavus A.

Choctaws by Blood.

16103	Allen, Elizabeth	16110	Crutchfield, Loutitia
16112	Bumgarner, George A.	16106	Crutchfield, Everet
15925	Crowder, John A.	16111	Crutchfield, George W.
15924	Crowder, Pinkie B.	15450	James, Alice E.
15923	Crowder, Katie B.	15972	Jennings, Arthur
15921	Crowder, Eli W.	15973	Jennings, Clyde
15922	Crowder, James	15916	Keifer, Ardella

15905	Crowder, Winnie Gertrude	16003	Long, James S.
15904	Crowder, John F.	16004	Long, Joseph
15903	Crowder, William H.	16005	Long, Forbis
15902	Crowder, Rosa	921	Long, Josephine LeFlore
15901	Crowder, Maggie	922	Long, Jake Laflore
15900	Crowder, Abigail	9258	Pebworth, Henry
15899	Crowder, William J.	15928	Randall, Grover
16105	Crutchfield, Ida	16104	Ritter, David
16107	Crutchfield, Ima	15856	Robinson, Mary E.
16108	Crutchfield,Louvinia	15951	Shelton, Daisy
16109	Crutchfield, William	15857	Trice, Mary A.

Choctaws by Marriage.

1486	Beagles, Allen	1414	McClure, Madell
1537	Buckholts, Jeanetta H.	1614	McGahey, Martha J.
1559	Choate, Amanda	1407	McMurtry, Lucy
1412	Crowder, Lydia Ann	1550	Omo, Julia
1523	Crowder, Josephine	1410	Paxton, William D.
985	Foster, Mary A.	1406	Rabon, Robert L.
1421	Freeny, Mattie	1490	Reding, Ella
1489	Gann, William Newton	1478	Rigney, Rosa E.
1518	Gray, John Calvin	1219	Roberts, George W.
1216	Gunter, Benjamin B.	1513	Robinson, Frederick R.
1480	Kelly, William F.	1353	Russell, Mattie M.
1476	Lewis, Vicey	1127	Smith, Ira L.
1150	Lindsey, Selden T.	1428	Staton, John T.

1405	Merryman, Sarah	668	Sutherland, Henry
1215	Mitchell, Virginia P. Mitchell, Mattie S.	1470	Tucker, William N.
1416	Moran, Mary	1468	Vincent, Charlie S.

Minor Choctaw Citizens.

Roll No.	Name.	Roll No.	Name.
724	Braudrick, Jennie Louise	791	Kiefer, Eurana
4	Crowder, Rufus Clay	669	Long, Francis
790	Kiefer, Odis A.		

Cherokee by Blood.

31958	Allison, Elmer C.	31959	Allison, Jasper P.

In order that the action of erasures may be uniform for all names and upon all rolls, you will make such erasures in the following manner: The lines drawn through and purporting to cancel the names from the rolls shall be lined out by drawing across them short transverse lines in red ink. The notations purporting to cancel the names from the rolls shall be lined out by drawing through each line of said notations red horizontal lines. In addition to lining out the interlineations and notations you will insert a note at the foot or side of each page containing any of these corrections, said note to be indicated by stars placed before the names involved. The note shall read as follows:

"Words and lines purporting cancellation erased by authority of departmental letter of January 19, 1909 (File 5-51)."

You will notify all persons, whose status on the rolls has been recognized as above, of the action taken, and that they have all the rights ot allotment and payments enjoyed by other

citizens, as though no attempt had ever been made to cancel their names from the rolls.

Except for the Allisons named in above lists, I am not ready to give you a list of the Cherokees and Creeks whose status upon the rolls will be corrected under the principles of the Goldsby decision. Direction concerning them will follow within a week.

There are other names which were upon approved rolls and were erased or stricken therefrom by the Secretary of the Interior without notice. Some of these are already the subject of injuction or mandamus actions against the Secretary of the Interior, and in other cases such action has not been instituted. There are reasons which make it doubtful whether those persons fall indubitably under the principles of the Goldsby decision. Careful consideration of the matter will be given at once, and, according to the decision reacned in each case, the persons involved will be left to such court action as they deem wise or will have the rolls corrected by epartmental action in the manner indicated for the two lists set forth above.

A sample page is inclosed, showing the method of erasure to be followed by all officers in the correction of the rolls.

Very respectfully,
(Signed)James Rudolph Garfield
Secretary.

7-2787
B-1405

Muskogee, Oklahoma, February 8, 1909.

Mrs. Sarah Merryman,

Spiro, Oklahoma.

Madam:

I am instructed by the Department of the Interior that your case falls within the principles of the decision of the Supreme Court of the United States in the case of John E. Goldsby et al., seeking to have their names restored to the rolls of citizens of the Choctaw and Chickasaw Nations, and that the notations striking your name from the roll of citizens by intermarriage of the Choctaw Nation shall be erased and that you have all the rights to allotment and payments enjoyed by other citizens as if no attempt had ever been made to cancel your name from this roll.

Said instructions have been carried out by this office, and you are now advised that the status of your name on the approved roll of citizens of the Choctaw Nation and of your allotment selection in said nation is the same as prior to March 4, 1907, when the Secretary of the Interior directed that your name be stricken from the roll.

Respectfully,

WHA(CM) Acting Commissioner.

2788 Robert Folsom choc

2788

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record herein is in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

A l i c e F o l s o m, 7 - 2788

7-2788.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, I. T., March 13, 1903.

In the matter of the application of Alice Folsom for enrollment as a citizen by intermarriage of the Choctaw Nation.

Alice Folsom being duly sworn testifies as follows:

Examination by the Commission.

Q What is your name? A Alice Folsom.
Q How old are you? A Twenty-nine.
Q What is yourpost office address? A Garland.
Q What Nation is that in? A Choctaw.
Q How long have you resided in the ChoctawNation? A 17 years.
Q Have you lived here continuously for the past 17 years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Are you a white woman? A Yes sir.
Q Do you claim the right to enrollment as an intermarried citizen of the ChoctawNation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim this right? A Robert Folsom.
Q Is he a recognized and enrolled citizen by blood of the Choctaw Nation? A Yes sir.
Q When were you married to this man? A In 1893.
Q Where was this marriage ceremony performed? A At Garland.
Q In the ChoctawNation? A Yes sir.
Q At that time were both you and your husband living in the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A Joe Garland.
Q A ministerof the gospel? A Yes sir.

By ChoctawCommissioner S E Lewis:
Q Is Joe not just a Judge? A Yes sir.
Not a ministerof the gospel? A Judge.

By the Commission:
Q Were you ever married before your marriage to Robert Folsom? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

W. H. Martin being duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings at Atoka, Indian Territory, on the 13th day of March, 1903, and that the foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W H Martin

Subscribed and sworn to before me this 30 day of March, 1903.

Charles N. Haskell

Notary Public.

OFFICE OF

J. H. FANNIN & CO.,

DEALERS IN

GENERAL MERCHANDISE

AND LIVE STOCK.

Spiro, Ind. Ter., ... 189

This is to certify that I have this day joined together in the Holy Bonds of Matrimony Mr Robert Folsom a Choctaw Indian and Miss Alice Gibson In accordance with the laws of the Choctaw Nation

Given under my hand this the 20th day Sept 1893

Joseph Garland
Supreme Judge
1st Judicial District
Choctaw Nation

7 - 2788

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alice Folsom as a citizen by intermarriage of the Choctaw Nation.

DECISION.

It appears from the record herein that Alice Folsom (nee Gibson), on September 20, 1893, was lawfully married to Robert Folsom, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8185 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Alice Folsom should be enrolled as a citizen by intermarriage of the Choctaw Nation in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER

Muskogee, Indian Territory,

MAY 6 1903

Choctaw-2788

COPY.

Muskogee, Indian Territory, May 6, 1903.

Alice Folsom,

Garland, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Enc. HG. 8

COPY. Choctaw-2788

Muskogee, Indian Territory, May 6, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered May 6, 1903, granting the application of Alice Folsom, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully, (SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc. HG 9

IN RE

Application for Enrollment of

INFANT CHILD.

Virgo D. Folsom

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

777

Card No 2785

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Alice Folsom, born on the 1 day of Oct, 1873

Name of father: Tom Gipson not, a citizen of the Choctaw Nation.

Name of mother: Prudence Leo not, a citizen of the Choctaw Nation.

Post Office: Garland I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Alice Folsom, on oath, state that I am 26 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Robbert L Folsom who is a citizen, by blood, of the Choctaw Nation; that a Male child was born to me on the 2 day of May, 1899; that said child has been named George D Folsom, and is now living.

Alice Folsom

Subscribed and sworn to before me this 21 day of June, 1899.

J S Tigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, [illegible], a [illegible], on oath, state that I attended on Mrs. Alice Folsom, wife of Robbert L Folsom on the 2nd day of May, 1899; that there was born to her on said date a Male child; that said child is now living and is said to have been named George D. Folsom.

[illegible]

Subscribed and sworn to before me this 21 day of June, 1899.

J S Tigler
Notary Public.

Choctaw 2788

Muskogee, Indian Territory, January 17, 1903.

Robert Folsom,

Garland, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 29, 1902, stating that your wife did not appear before the Commission at one of its recent appointments for the reason that her health would not permit, and you ask what steps you should take in order to have her enrolled.

In reply to your letter you are advised that it appears from our records that Alice Folsom, wife of Robert Folsom, has been listed for enrollment as an intermarried citizen of the Choctaw Nation. The Commission is now preparing rolls of the citizens and freedmen of the Choctaw and Chickasaw Nations for submission to the Secretary of the Interior, in accordance with the provisions of the act of Congress of July 1, 1902, for submission to the Secretary of the Interior, and it is necessary to secure the testimony of all intermarried citizens ofthe Choctaw and Chickasaw Nations, relative to their status as such intermarried citizens on September 25, 1902, the date of the ratification by the citizens of the Choctaw and Chickasaw Nations of the act of Congress above referred to.

It would be advisable for Alice Folsom to appear before the

R F 2

Commission at its office at Muskogee, Indian Territory, at the earliest date possible for the purpose of giving such tstimony as no further consideration can be given her application for enrollment as an intermarried citizen of the Choctaw Nation until her testimony has been taken therein.

Respectfully,

Commissioner in Charge.

Choctaw-2788

Muskogee, Indian Territory, February 27, 1903.

Alice Folsom,

Garland, Indian Territory.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903. The Act of Congress approved July 1, 1902, provides:

> "No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

Muskogee, Indian Territory, October 17, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

On November 18, 1902, the Commission to the Five Civilized Tribes had the honor to transmit, for Departmental action, a schedule constituting part of the final roll of the citizens by blood of the Choctaw Nation, Numbers 7996 to 8989, inclusive, copies of which have been heretofore returned approved by the Secretary of the Interior, January 17, 1903.

I now have the honor to report that the entry relative to the sex of the citizen who appears thereon opposite Number 8186 as Robbie Folsom is erroneous and should be corrected.

On December 8, 1903, Robert Folsom, approved roll of citizens by blood of the Choctaw Nation, Number 8185, who is the father of Robbie Folsom, appeared at the Choctaw Land Office and from his testimony at that time it develops that this child is a girl. For the information of the Department there is inclosed herewith copy of the testimony of Robert Folsom of December 8, 1903.

I have, therefore, to recommend that the sex of the citizen who appears upon the approved roll of citizens by blood of the Choc-

taw Nation opposite Number 8186 as Robbie Folsom be changed upon the schedules of citizens by blood of said nation in the possession of the Department and the Indian Office from "Male" to "Female" and that the Commission be authorized to make corresponding changes upon the schedules of citizens by blood of the Choctaw Nation in its possession.

Respectfully,

Chairman.

Through the Commissioner
of Indian Affairs.

DEPART ENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
CHOCTAW LAND OFFICE

Atoka, Indian Territory, December 8, 1903.

Card 7---2788 -:- Roll 8186

In the matter of the application for the selection of land in allotment for account of Robbie Folsom, Choctaw by blood, Card No. 2788, Approved Roll No. 8186.

ROBERT FOLSOM Choctaw by blood Card No. 2788, Approved Roll No. 8185, being first duly sworn testifies as follows:

EXAMINATION BY THE COMMISSION

Q What is your name ? A Robert Folsom.
Q What is your age ? A Thirty years I think.
Q What is your post office address ? A Garland, Indian Territory.
Q What is the name of your father ? A George Folsom.
Q What is the name of your mother ? A Levicey Folsom.
Q Are you married ? A Yes, sir.
Q What is the name of your wife ? A Alice.
Q What is her citizenship ? A An intermarried white.
Q Have you any children ? A Yes, sir.
Q What are their names ? A Robbie and George D.
Q How old is Robbie ? A She is seven years old.
Q Is Robbie Folsom a male or female child ? A Female.
Q Did you ever have a male child by the name of Robbie Folsom ? A No, sir.
Q Is this child living with you now ? A Yes, sir.
Q And you desire to have the sex of this child changed on your records from "male" to "female" ? A Yes, sir, she is a girl and I desire that your records show that.

Witness excused.

Fred V. Finkade being first duly sworn on oath states that above and foregoing is a true, full and correct translation of his stenographic notes as taken in above cause on said date.

Fred V. Finkade

Sworn to before me this February 15, 1904.

Notary Public.

8186

Ink 3

Choctaw 2788

Muskogee, Indian Territory, October 17, 1904.

Commissioner in Charge,
Choctaw Land Office,
Atoka, Indian Territory,

Dear Sir:

There is inclosed herewith, for the information of your office, copy of letter this day addressed to the Secretary of the Interior recommending the change of sex of the citizen whose name appears opposite Number 8186 upon the approved roll of citizens by blood of the Choctaw Nation as Robbie Folsom.

When this recommendation is approved by the Department your office will be notified.

Respectfully,

Chairman.

AB 12-17

Choctaw 2788

Muskogee, Indian Territory, October 17, 1904.

Commissioner in Charge,
Chickasaw Land office,
Tishomingo, Indian Territory,

Dear Sir:

There is inclosed herewith, for the information of your office, copy of letter this day addressed to the Secretary of the Interior recommending the change of sex of the citizen whose name appears opposite Number 8186 upon the approved roll of citizens by blood of the Choctaw Nation as Robbie Folsom.

When this recommendation is approved by the Department your office will be notified.

Respectfully,

Chairman.

AB 13-17

J.P.

FHE.

D C No. 45426-1904
I.T.D. 11800-1904.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. November 21, 1904.

LRS.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

In accordance with your request of October 17, 1904, the sex of the citizen of the Choctaw Nation appearing opposite No. 8186 on the partial roll of citizens by blood of the Choctaw Nation, as Robbie Folsom, has been changed on the copy of the partial roll in the Department, from "male" to "female".

You are authorized to make the necessary change on the part of the roll in your office.

A copy of the Acting Commissioner of Indian Affair's letter of October 24, 1904, submitting your communication and concurring in your recommendation, is inclosed.

Respectfully,

Thos. Ryan

Acting Chairman.

1 inclosure.

(COPY)

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Land.
73828-1904.

Washington, October 24, 1904.

The Honorable,

Secretary of the Interior.

Sir:

Permit me to invite your attention to letter of the Commission to the Five Civilized Tribes, of the 17th instant, reporting to the effect that on January 17, 1903, the Department approved a schedule constituting a part of the final roll of the citizens by blood of the Choctaw Nation, Nos. 7996-8989, inclusive.

It is now reported that the entry relative to the sex of the citizen who appears opposite No. 8186 as Robbie Folsom, is erroneous and should be corrected.

On December 8, 1903, Robert Folsom, approved roll of citizens by blood, Choctaw Nation, No. 8165, who is the father of Robbie Folsom, applied at the Choctaw Land Office and from his testimony at that time it develops that this child is a girl. For the information of the Department, there is enclosed copy of the testimony of Robert Folsom of December 8, 1903.

It is therefore recommended that the sex of the citizen who appears upon the approved roll of citizens by blood of the Choctaw Nation, opposite 8186, as Robbie Folsom, be changed upon the schedule of citizens by blood of that nation in the possession of the Department and of this office from "male" to "female" and that the Commission be authorized to make corresponding changes upon the schedules

of citizens by blood of the Choctaw Nation in its possession.

I concur in the recommendation of the Commission.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

EBH-H

A 8186

Muskogee, Indian Territory, December 2, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

There is inclosed herewith copy of Departmental letter of November 21, 1904, (I. T. D. 11800-1904) authorizing the change of sex of the citizen who appears opposite Number 8186 upon the approved roll of citizens by blood of the Choctaw Nation as Robbie Folsom from "Male" to "Female".

You are therefore directed to make such change upon the schedules of citizens by blood of the Choctaw Nation in your possession.

Respectfully,

AB 2-2

A 8186

Muskogee, Indian Territory, December 2, 1904.

Commissioner in Charge,

Choctaw Land office,

Atoka, Indian Territory,

Dear Sir:

There is inclosed herewith copy of Departmental letter of November 21, 1904, (I. T. D. 11800-1904) authorizing the change of sex of the citizen who appears opposite Number 8186 upon the approved roll of citizens by blood of the Choctaw nation as Robbie Folsom from "Male" to "Female".

You are therefore directed to make such change upon the schedules of citizens by blood of the Choctaw Nation in your possession.

Respectfully,

AB 1-2

Choctaw 2788

Muskogee, Indian Territory, December 2, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

Referring to Choctaw roll card 2788, Robert Folsom, you are advised that the relationship and sex of Number 3 thereon, Robbie Folsom, have been changed so as to appear as "Dau" "F". Number 4 has been made to appear as "Son" "M", and the following notation has been placed on said card:

"No. 3 is a girl. Sex changed under Departmental instructions of Nov. 21, 1904. (D. C. #45426-1904.)

You are therefore directed to make like changes and place such notation upon the Choctaw card of the same number in your possession.

Respectfully,

Chairman.

Choctaw 2788

Muskogee, Indian Territory, December 2, 1904.

Commissioner in Charge,

Chickasaw Land Office,

Tishomingo, Indian Territory,

Dear Sir:

Referring to Choctaw roll card 2788, Robert Folsom, et al. you are advised that the relationship and sex of Number 3 thereon, Robbie Folsom, have been changed so as to appear as "Dau" "F". Number 4 has been made to appear as "Son" "M", and the following notation has been placed on said card:

"No. 3 is a girl. Sex changed under Departmental instructions of Nov. 21, 1904. (D. C. #45426-1904)

You are therefore directed to make like changes and place such notation upon Choctaw card of the same number in your possession

Respectfully,

Chairman.

2789 Louvira Hulsey Choc

2789

Empty

2790 Winnie Minton doc

2790

IN RE

Application for Enrollment of

INFANT CHILD.

Barney Minton

As a citizen of the

Choctaw Nation.

Approved [illegible] 1899

[illegible] Commissioner.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Minnie Minton, born on the 15 day of Sept, 1877

Name of father: George Folsom, a citizen of the Choctaw Nation.

Name of mother: Louisa Hulsey, a citizen of the Choctaw Nation.

Post Office: ~~Fort~~ Garland I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Minnie Minton, on oath, state that I am 21 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Robbert Minton who is a citizen, by Marriage, of the Choctaw Nation; that a Male child was born to me on the 28 day of April, 1899; that said child has been named Barney Minton, and is now living.

Minnie Minton

Subscribed and sworn to before me this 19 day of June, 1899.

J. S. Stigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, [illegible], a [illegible], on oath, state that I attended on Mrs. Minnie Minton, wife of Robbert Minton on the 28 day of April, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named Barney.

[illegible]

Subscribed and sworn to before me this 19 day of June, 1899

J. S. Stigler
Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Laut Brown

As a citizen of the

Choctaw Nation.

Approved [illegible] 1899

[illegible] Commissioner.

7 [illegible]

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Winnie Minton, born on the 15 day of Sept, 1897

Name of father: George Folson, a citizen of the Choctaw Nation.

Name of mother: Louisa Hulsey, a citizen of the Choctaw Nation.

Post Office: Garland I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Winnie Minton, on oath, state that I am 21 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of Robert minton who is a citizen, by Marriage, of the Choctaw Nation; that a Male child was born to me on the 12 day of Oct, 1894; that said child has been named Lant Brown, and is now living.

Winnie Minton

Subscribed and sworn to before me this 19 day of June, 1899.

J. S. Stigler
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Louisa Hulsey, a midwife, on oath, state that I attended on Mrs. minton, wife of Robert minton on the 12 day of Oct, 1894; that there was born to her on said date a Male child; that said child is now living and is said to have been named Lant Brown.

Louisa Hulsey

Subscribed and sworn to before me this 19 day of June, 1899

J. S. Stigler
Notary Public.

2791 Cornelia McMahan doc

2791

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Cornelia McMahen as Choctaw by blood; Fannie E. Grady being sworn and examined by Com'r McKennon states:

Name is Fannie E. Grady, fifty-five years old.

Q Did you know Marion Taylor? A Yes sir.

Q Was he a Choctaw citizen? A I couldn't state he was; he was recognized as a Choctaw citizen.

Q Did you know his wife? A Yes sir.

Q What was her name? A Lina Ford before she married Taylor

Q What do you know of their marriage?

A All I know is that Cousin Willis come over to marry them and said they were married; I was in the neighborhood at the time, and heard of the marriage.

Q Did they live together as husband and wife afterwards?

A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. D. Green

2792 Jesse Long Choc

Julia Long Transferred from Choctaw D-948
Jan 29, 1905

2792

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation, of:

Julia Long.

7-D-948.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, December 16, 1902. Indian Territory.

Original
Choctaw
Intermarried.

In the matter of the application of Julia Long for enrollment as an intermarried citizen of the Choctaw Nation.

Julia Long being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Julia Long.
Q What is your age? A Thirty four.
Q What is your post office address? A Shady Point.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? ABeen living here for the last 17 ot 18 years.
Q Lived here continuously for the past 17 years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q What is the name of your father? A Caleb Cox.
Q Is he living or dead? A He's dead.
Q What is the name of your mother? A Sara Pirtle.
Q Is she living or dead? A She's living.
Q Are both of your parents white persons? A Yes sir.
Q Did either one of them ever make claim to enrollment as a member of any Indian tribe? A No sir.
Q Do you now wish to make application for enrollment as an intermarried citizen of the Choctaw Nation? A Yes; only through my husband.
Q What is the name of your Choctaw husband through whom you claim this right? A Jesse Long.
Q Was he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been questioned or diputed? A No sir.

(The name of the applicant's husband, Jesse Long, appears on the records of the Commission on Choctaw Roll Card Field #2792 having been listed for enrollment as a citizen by blood of the Choctaw Nation upon the identification of his name on the 1896 Choctaw Census roll Skullyville County, #7726)

Q When were you married to Jesse Long? A January 2, 1902.
Q Where was this marriage ceremony performed? A Shady Point.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A W.P.Campbell from Sutter.
Q Was he a minister of the Gospel? A Yes sir.
Q Were you married under a license? A Yes sir.

(There is offered in evidence marked Exhibit "A" and made a part of the record in this case marriage license and certificate

of Jessie Long and Julia Whisenant.)

Q Are you the identical person referred to in this marriage license as Julia Whisenant? A Yes sir.
Q Was Jesse Long ever married previous to his marriage to you? A No sir.
Q Were you ever married before your marriage to him? A Yes, once to E.F.Whisenant.
Q was he a white man? A Yes sir.
Q When were you married to him? A In 1884.
Q How long did you live with him? A Fourteen years I believe; up to his death.
Q He was dead at the time of your marriage to Jesse Long? AYes sir
Q As far as you know was there any legal obstruction in the way of your marriage to Jesse Long? A No sir.
Q Since your marriage to this man have you lived with him as husband and wife up to the present time? A Between 6 and 7 months.
Q what happened at the end of that time? A My children didn't agree. I have children by my first husband.
Q did he leave you? A Yes sir.
Q what was the cause of that separation?WAs that the only cause? A Yes, he will tell you that himself; he left me the second time.
Q was there been any divorce? A No sir.
Q during your married life where did you live? A One mile of Shady Point.
Q On his property? A No sir.
Q Did he contribute to your support during that time? A Yes; that was the only reason; he and my children didn't agree.
Q Has he ever attempted to come back to you and live with you? A Yes, he wouldm I think, but we cannot agree and the children can't agree; it is useless.
Q did you ever try to have him come back? A No sir; it is his place to do this coming back; he went away and I don't need to call him back.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had above on December 16, 1902, and that this is a full, true and correct transcript of his stenographic notes in same

Henry G. Hains

Subscribed and sworn to before me this 17 day of December, 1902.

Notary Public.

No. 1350

Certificate of Record of Marriages.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, } SCT:
Central DISTRICT }

I, E. J. Saunin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and Certificate of the Marriage of Mr. Jessie Long and Miss Julia Whitmarsh was filed in my office in said Territory and District the 3 day of January, A. D. 1902 and duly recorded in Book 2 of Marriage Record, Page 57

WITNESS my hand and seal of said Court, at Poteau this 3 day of January, A. D. 1902

E. J. Saunin Clerk.

By W. J. Varner Deputy.

No. 1350

Form No. 503

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

To any Person Authorized by Law to Solemnize Marriage - Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. Jessie Long of Shady Point in the Indian Territory, aged 23 years, and Mrs Julia Whisenant of Shady Point in the Indian Territory, aged 34 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 31st day of December, A. D. 1901

T. T. Varner
Deputy.

E. J. Jannin
Clerk of the United States Court.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
Central DISTRICT. } ss:

I, P. W. Campbell a minister of the gospel do hereby CERTIFY, that on the 2nd day of Jan, A. D. 1902 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANNS OF MATRIMONY between the parties therein named.

Witness my hand this 2nd day of Jan, A. D. 1902

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book B, Page 294

P. W. Campbell
a minister

NOTE — This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court of the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars (U.S.).

[illegible]

[illegible] Choctaw [illegible]

Choct[illegible]

FEB 6

CHAIRMAN

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Julia Long as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-948.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw nations, that final decision in this case be postponeduntil final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which the said Court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeitureof citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

Attorneys for the Choctaw & Chickasaw Nations.

January 25, 1904.

In the matter of the application for the enrollment of Julia Long as a citizen by intermarriage of the Choctaw Nation, Choctaw Field No. D-948.

- - - - - - -

We hereby request, on behalf of the Choctaw and Chickasaw nations, that final decision in this case be postponed until final decision by the Choctaw and Chickasaw Citizenship Court in the case of B. F. Thompson vs. Choctaw and Chickasaw Nations, No. 38 on the South McAlester Docket, in which case said Court will decide the question of the validity of that portion of the intermarriage laws of the Choctaw Nation providing for the forfeitureof citizenship of white persons who separate from their Indian spouses, which question is involved in the case to which this communication refers.

This request is filed under authority granted by the Honorable Secretary of the Interior in his communication to the Commission to the Five Civilized Tribes upon the subject, dated November 18, 1903.

7-D-948.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Julia Long for enrollment as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that the applicant, Julia Long, on January 2, 1902, was lawfully married to Jesse Long, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8196 upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above named were residents in good faith of the Choctaw Nation; that they lived together as husband and wife, in said Nation, for about six or seven months, when they separated, but were not divorced; that the applicant has been a resident in good faith of the Choctaw Nation since the date of her said marriage, on January 2, 1902, up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that, following the ruling of the Department in the case of Thornton D. Pearce (I.T.D. 4060-1904), relative to the question of forfeiture, Julia Long should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Muskogee, Indian Territory,

JAN

Commissioner.

Choctaw D 948

COPY.

Muskogee, Indian Territory, January 13, 1905.

Julia Long,

Poteau, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 13, 1905, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Tams Bixby

Chairman.

Registered.

Incl. 7-D-948.

Choctaw D 948

COPY.

Muskogee, Indian Territory, January 13, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered January 13, 1905, granting the application for the enrollment of Julia Long as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from the date of this notice within which to file protest against the action of the Commission in enrolling said applicant as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, her name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Tams Bixby

Chairman.

Registered.

Incl. 7-D-948.

See Choctaw D 987 for registry receipt for this letter.

1

7-2792

Muskogee, Indian Territory, September 29, 1903.

Jesse Long,

Poteau, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Julia Long and Malissa Cox relative to the birth of Birtha Long, infant daughter of Jesse and Julia Long, January 23, 1903, which it is presumed have been forwarded to this office as an application for enrollment of the above named child as a citizen by blood of the Choctaw Nation.

You are informed that under the provisions of the Act of Congress approved July 1, 1902, (32 Stat., 641), the Commission is now without authority to receive or consider the original application for enrollment of any person whomsoever as a citizen of the Choctaw or Chickasaw Nation.

Respectfully,

Chairman.

8-2-948

[illegible], Indian Territory, December 10, 1900.

Julia Long,

Poteau, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 4th inst., requesting to be advised when your marriage license and certificate will be returned to you.

You are informed it appears from our records that you are an applicant to this Commission for enrollment as an intermarried citizen of the Choctaw Nation, but no decision relative to your final rights to enrollment as such has yet been rendered; it will therefore, be necessary that your original marriage license and certificate be retained with the records in support of your application.

If you desire a certified copy thereof the same will be forwarded you upon written request.

Respectfully,

Chairman.

Choctaw D 948

Muskogee, Indian Territory, February 10, 1904.

Julia Long,

Shadypoint, Indian Territory.

Dear Madam:

You are hereby advised that under direction of the Secretary of the Interior of November 18, 1903, and upon a protest filed with the Commission by the attorneys for the Choctaw and Chickasaw Nations dated January 23, 1904, no further action will be taken relative to your enrollment as a citizen by intermarriage of the Choctaw Nation until the Commission is further instructed by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

114 A

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
7-D-948

Atoka, Indian Territory, February 24, 1905.

Julia Long,
Heavener, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of February 16, 1905, asking to be adivsed if your enrollment has been approved, and if you are ready to file on your land.

In reply thereto you are advised that it appears from the records of the Commission that you have been finally enrolled as a citizen by intermarriage of the Choctaw Nation, and that your name has been placed upon a schedule prepared of such citizens and forwarded to the Secretary of the Interior for approval, but as yet your enrollment has not been approved by the Secretary of the Interior. Therefore, no selection in allotment can be made by you at this time.

Respectfully,

Tams Bixby

Chairman.

2793 John Tickness Cloc

2793

32

INDEXED

IN RE
THE DEATH OF

John Tickner
a citizen of the

Choctaw *Nation.*

Approved DEC 11 1902 *190*

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 11 1902

ACTING CHAIRMAN.

Choctaw #2793

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Lizzie John Tickness (Here insert name of deceased.)

a citizen of the Chocktaw Nation, who formerly resided at or near Stigler (Here insert name of postoffice), Ind. Ter., and died on the 15 day of April, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Daniel Scott, on oath state that I am 44 years of age and a citizen, by Blood, of the Choctaw Nation; that my post office address is Ironbridge (Here insert name of post office.), Ind. Ter.; that I am Brotherin Law (State relationship as: the father; an uncle; a cousin, etc.) of John Tickness (Here insert name of deceased.), who was a citizen, by Blood, of the Choctaw Nation; and that said John Tickness (Here insert name of deceased.) died on the 15 day of April, 1901.

Daniel Scott.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2 *day of* December 1902.

David W Brown
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Sampson Wade, on oath state that I am 30 years of age, and a citizen, by Blood of the Choctaw Nation; that my post office address is Stigler (Here insert name of post office.) Ind. Ter.; that I was personally acquainted with John Tickness (Here insert name of deceased.) who was a citizen, by Blood, of the Choctaw Nation; and that said John Tickness (Here insert name of deceased.) died on the 15 day of April, 1901.

Sampson Wade

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2 *day of* December 1902

David W Brown
Notary Public.

7-2793.

Muskogee, Indian Territory, October 31, 1902.

Lizzie Tiokness,

Stigler, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, John Tiokness, has died since the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making his death a matter of record there is enclosed herewith a blank for proof of death, which you are requested to have correctly executed and return at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for a relative and an acquaintance. In having same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

L T 2

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Acting Chairman.

Env.

D.C.

7-2793.

Muskogee, Indian Territory, December 12, 1902.

Daniel Scott,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your affidavit and that of Sampson Wade, relative to the death of your brother-in-law, John Tickness, a citizen by blood of the Choctaw Nation, which occurred April 15, 1901; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

You state in your letter that Lizzie Tickness, wife of John Tickness, is also dead.

For the purpose of making her death a matter of record there is herewith enclosed you a blank form for proof of death, which you are requested to have properly executed and returned in the enclosed envelope at your earliest convenience.

Respectfully,

Acting Chairman.

Env.

D.C.

7-2793

Muskogee, Indian Terri tory, March 14, 1904.

Turner McGilberry,

McCurtain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th inst., enclosing the affidavits of Sim Colbert and Jonas Thompson, relative to the death of Frank Tickness, a citizen by blood of the Choctaw Nation, which occurred November 7, 1903, and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Commissioner in Charge.

2794 Philip McCann choc

2794

Empty

2795 David Nesswith choc

2795

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

DAVID NESSMITH, 7-2795.

7 - 2795

Muskogee, Indian Territory, May 11, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 30th, in which you ask information relative to the status of Mary V. Nesmith.

In reply to your letter you are advised that it appears from our records that Mary V. Nesmith, wife of David Nesmith, an intermarried citizen, has been enrolled by this Commission as a citizen by blood of the Choctaw Nation, and on January 17, 1903, her enrollment was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In enrollment of Mary V. Nessmith, (nee Page) as Choctaw by blood; Jane F. Page being sworn and examined by Com'r McKennon testifies:

Q What is your name? A Jane F. Page

Q What is your age? A Sixty-six years old

Q You know Robert Page? A Yes sir

Q And his wife Jane? A Yes sir

Q Was Robert Page a Choctaw citizen? A Yes sir

Q Was his wife a white woman? A Yes sir

Q You know whether they were married or not? A Yes sir, they was lawfully married; I wasn't present, but one of my sisters went with them from my house to Judge Cribb's and he married them and they come back to my house and lived five or six months.

Q They lived together as husband and wife? A Yes sir, until death parted them.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify that the foregoing is a true and correct transcription of my stenographic notes.

M D Green

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw 2795
Intermarried

----------oOoo----------

In the matter of the application of David Nessmith for enrollment as an intermarried citizen of the Choctaw Nation.

David Nessmith being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A David Nessmith.
Q How old are you? A Twenty-seven years old.
Q What is your post office address? A Pacola.
Q What's in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A About eight years.
Q Have you lived here continuously for the past eight years?
A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Mary Virginia Page before I married her.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to Mary Virginia Page? A Why I believe it was 1897, August the 23rd I think it was.
Q Where was this marriage ceremony performed? A About - well, in Skullyville county about two miles from Spiro, east.
Q At that time were both you and your wife living in the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A Elijah Culberson.
Q How much did you pay for the license? A One hundred dollars.
Q Who performed the marriage ceremony? A Joe Ward, Judge of Skullyville county.
Q Were you ever married previous to your marriage to this woman?
A No sir.
Q Was she ever married previous to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation, abandonment or divorce? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

- - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles K. Sawyer
Notary Public.

Brock Creek Court House
Skullyville County Choctaw
Nation Ind. Terr.
August 23 1897.

To all whom it may concern That whereas David Nessmitz a Citizen of the United States has this day petitioned according to law for License to Marry a Citizen of the Choctaw Nation he having complied with all requirements of said law. I the County Clerk of Skullyville County by virtue of the Authority in me vested by the laws of the Choctaw Nation do hereby grant unto the above mentioned David Nessmitz a License to Marry a Citizen of the Choctaw Nation and any Minister of the Gospel or Judge of a Court is hereby authorized to perform said Marriage

In testimony whereof I hereunto set my hand and official seal on this the 23rd day of August A.D. 1897.

E. W. Culberson
County Clerk of
Skullyville County

I do hereby certify that the foregoing instrument is a true and correct copy of the original thereof now on record in this office.

Witness my hand and official seal this 2nd day of August A.D. 1971.

County Clerk of Muskingum County, Ohio.

I do hereby certify that the foregoing instrument is a true and correct copy of the original thereof now on record in this office.

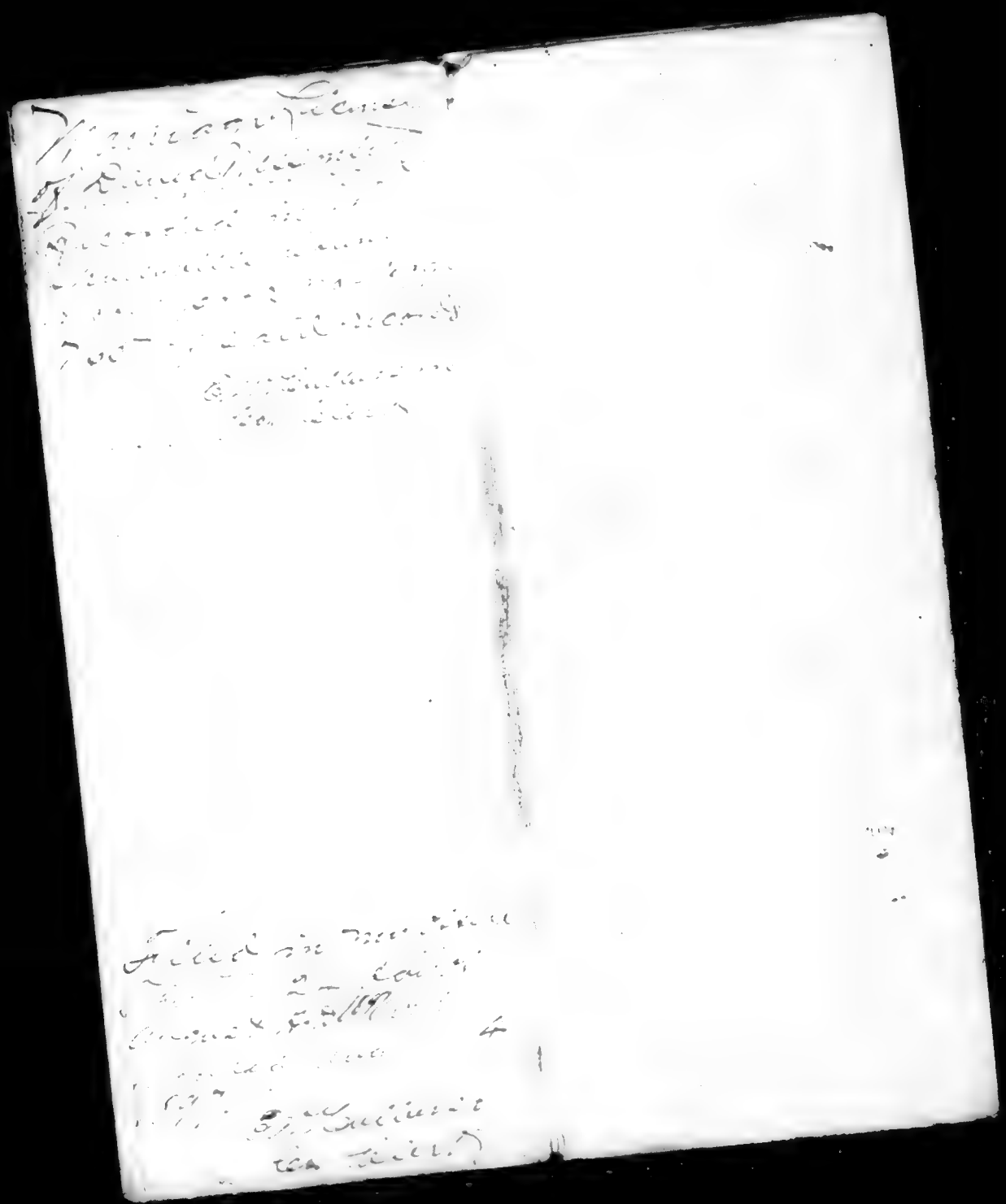
Witness my hand and official seal this 2nd day of August A.D. 1971.

County Clerk of Muskingum County, Ohio.

Whereof I hereunto set my hand and seal of office this the 24' day of August A.D. 1897.

E. W. Culberson

Co. Clerk.



7-2790

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of David Nessmith as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that David Nessmith on August 23, 1897, was married in accordance with the laws, customs and usages of the Choctaw Nation, to Mary V. Nessmith (nee Page), a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8202, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that David Nessmith should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw-2759

Registered. Muskogee, Indian Territory, July 20, 1903.

Enc. IBS. 56/20

David Nessmith,

Pocola, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfullly,

Commissioner in Charge.

Registered.

Enc. IBS. 56/20

Choctaw-2795.

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of David Nessmith for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

Commissioner in Charge.

Registered.

Enc. I S. 55/20

CHOCTAW. 20

IN RE

Application for Enrollment of

INFANT CHILD

Robert Payne Hessman

as a citizen of

Choctaw Nation

Approved, JUN 4 1901 190

[signature] *Commissioner.*

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 4 1901

[signature] ACTING CHAIRMAN

CHOCTAW.
2795

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE. Application for Enrollment, as a citizen of the Chocton Nation, of [illegible] (Here insert name of child), born on the 23 day of [illegible] 1901

Name of Father: [illegible], a citizen of the Choctaw Nation.

Name of Mother: Mary [illegible], a citizen of the Choctaw Nation.

Post-office, Pocola I.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Mary [illegible], on oath state that I am 23 years of age and a citizen, by birth, of the Choctaw Nation; that I am the lawful wife of David Nessmith, who is a citizen, by marriage, of the Choctaw Nation, that a male (male or female) child was born to me on the 25 day of March 1901; that said child has been named Robert Payne Nessmith, and is now living.

Mary [illegible] Nessmith

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 27 *day of* May 1901.

Com Exp
[illegible] 1904

[illegible]
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Judy Thomas, a midwife, on oath state that I attended on Mrs. Mary [illegible], wife of David Nessmith, on the 23 day of March 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Robert Payne Nessmith.

[illegible]

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 27 *day of* May 1901.

Com Exp
[illegible] 1904

[illegible]
NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

Grant Mossett

As a citizen of the

Choctaw Nation.

Approved Oct 6 1899

Commissioner.

Y- 2195.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Frank Nessmith born on the 3 day of June, 1898.
Name of father: David Nessmith, a citizen of the Choctaw Nation.
Name of mother: Mary Nessmith, a citizen of the Choctaw Nation.
Post Office: Poteau, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Mary Nessmith, on oath, state that I am 21 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of David Nessmith who is a citizen, by Marriage, of the Choctaw Nation; that a Male child was born to me on the 3 day of June, 1898; that said child has been named Frank, and is now living.

Mary Nessmith

Subscribed and sworn to before me this 26 day of Sept, 1899.

My Com. Exp. Nov. 8-1901

C. C. Woodson
Notary Public. for Sebastian Co. Ark.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Jane L. Page, a Midwife, on oath, state that I attended on Mrs. Mary Nessmith, wife of David Nessmith on the 3rd day of June, 1898; that there was born to her on said date a Male child; that said child is now living and is said to have been named Frank.

Jane L. Page

Subscribed and sworn to before me this 26 day of Sept, 1899.

C. C. Woodson

My Com. Exp. Nov. 8-1901.

Notary Public. for Sebastian Co. Ark.

Muskogee, Indian Territory, June 4, 1901.

David Nessmith,

Pocola, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Robert Payne Nessmith, the infant son of David and Mary V. Nessmith, born March 25, 1901, and the same being in proper form has been accepted and filed with the records of the Commission and this child listed for enrollment as a citizen by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2795

(COPY)

Received Supt Five Tribes
Nov 19 1914 No. 5594

Land-Five Tribes
117884-14
J E D

Error in Choctaw
citizenship roll.

Nov - 5 1914

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report of October 28, 1914, and other papers from Special Supervisor Dana H. Kelsey, relative to an error appearing on the final approved roll of citizens by blood of the Choctaw Nation in the matter of the designation of the sex of Lillith Greyton, whose name appears on said roll opposite No. 8204.

The enclosed papers show that an error was made in the designation of the sex of said Lillith Greyton. The Office therefore recommends that the final roll of citizens of the Choctaw Nation be corrected by the substitution of the letter "F" in lieu of the letter "M" in the sex column opposite the name of said Lillith Greyton, and that this Office and the Special Supervisor in Charge of the Five Civilized Tribes be authorized to make a similar correction on the copies of the rolls in their possession.

11-FLH-4 Inclosure 24309 Respectfully,

Approved Nov-6 1914
(Sgd.) Bo Sweeney
First Assistant Secretary

E. B. Merett
Assistant Commissioner.

2796 Solomen James Choc

2796

Empty

2797 willis Jackson choc

2797

Empty

2798 John T. Burgevin Choc

2798

IN RE

Application for Enrollment of

INFANT CHILD.

Julia G. Burgess

As a citizen of the

Choctaw Nation.

Approved June 10 1899

Commissioner.

Card 7211

7-2-798

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Julia G. Burgevin, born on the 5th day of February, 1899.

Name of father: John T. Burgevin by intermarriage, a citizen of the Choctaw Nation.

Name of mother: Ella Burgevin, a citizen of the Choctaw Nation.

Post Office: Tucker I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ella Burgevin, on oath, state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of John T. Burgevin who is a citizen, by intermarriage, of the Choctaw Nation; that a female child was born to me on the 5th day of February, 1899; that said child has been named Julia G. Burgevin, and is now living.

Ella Burgevin

Subscribed and sworn to before me this 15th day of March, 1899

[signature]
Notary Public.
Commissioner

AFFIDAVIT OF ~~ATTENDING PHYSICIAN, OR MIDWIFE.~~ Neighbor

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nancy Osborne, a neighbor, on oath, state that I ~~attended on Mrs.~~ ~~wife of~~ John T. and Ella Burgevin on the 5th day of February, 1899; that there was born to ~~her~~ on said date a female child; that said child is now living and is said to have been named Julia G. Burgevin.

Witness F. M. Lobdell

Nancy Osborne
her
mark

Subscribed and sworn to before me this 15th day of March, 1899

[signature]
~~Notary~~ Public.
Commissioner

IN RE

Application for Enrollment of

INFANT CHILD.

Henry C. Burgain

As a citizen of the

Choctaw Nation.

Approved June 15 1899

Commissioner.

R. 2-7-10

7-2798

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Henry A. Burgevin, born on the 3d day of March, 1897.

Name of father: John T. Burgevin, a citizen by intermarriage of the Choctaw Nation.

Name of mother: Ella Burgevin, a citizen of the Choctaw Nation.

Post Office: Tucker I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ella Burgevin, on oath, state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of John T. Burgevin who is a citizen, by intermarriage, of the Choctaw Nation; that a male child was born to me on the 3d day of March, 1897; that said child has been named Henry A Burgevin, and is now living.

Ella Burgevin

Subscribed and sworn to before me this 15th day of June, 1897.

[signature]
~~Notary Public.~~
Commissioner

AFFIDAVIT OF neighbor ~~ATTENDING PHYSICIAN, OR MIDWIFE.~~

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Nancy Osborne, a neighbor, on oath, state that ~~I attended on Mrs.~~ ~~wife of~~ John T and Ella Burgevin on the 3d day of March, 1897; that there was born to ~~her~~ on said date a male child; that said child is now living and is said to have been named Henry A Burgevin.

Witness J. W. Lobdell

Nancy her x mark Osborne

Subscribed and sworn to before me this 15th day of June, 1897.

[signature]
~~Notary Public.~~
Commissioner

CHOCTAW.

7- 2798 32.

IN RE
THE DEATH OF

John T Burgess
a citizen of the
Choctaw *Nation.*

[illegible] 1902

Approved
C. R. Breckinridge
Commissioner.

2798

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of John T. Burgevin (Here insert name of deceased.) a citizen of the Choctaw Nation, who formerly resided at or near Spiro (Here insert name of post office.), Ind. Ter., and died on the 9th day of Feb, 1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY, Central District. }

I, Josephine G. Burgevin on oath state that I am 27 years of age and a citizen, by blood, of the Chickasaw Nation; that my post office address is Spiro (Here insert name of post office.), Ind. Ter.; that I am Sister-in-Law (State relationship, as: the father; an uncle; a cousin, etc.) of John T. Burgevin (Here insert name of deceased), who was a citizen, by Adoption, of the Choctaw Nation; and that said John T Burgevin (Here insert name of deceased.) died on the 9th day of Feb, 1902.

Josephine G. Burgevin

WITNESSED TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 18 day of Oct, 1902

J Wesley Smith
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY, Central District. }

I, John S Merryman, on oath state that I am years of age, and a citizen, by blood, of the Choctaw Nation; that my post office address is Spiro (Here insert name of post office.), Ind. Ter.; that I was personally acquainted with John T Burgevin (Here insert name of deceased.) who was a citizen, by Adoption, of the Choctaw Nation; and that said John T Burgevin (Here insert name of deceased.) died on the 9th day of Feb, 1902.

John S Merryman

WITNESSED TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 18 day of Oct, 1902

J Wesley Smith
Notary Public

7-2766

IN RE
THE DEATH OF
Ella Burgevine
a citizen of the
Nation.

Approved OCT 29 1902
T. B. Needles
Commissioner.

COMMISSION TO
FILED
OCT 1902

CHOCTAW.
2748

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Ella Burgevin
(Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Spiro, Ind. Ter., and died on the 14 day of Feb,
(Here insert name of post office.)
1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, Josephine L Burgevin on oath state that I am 27 years of age and a citizen, by blood, of the Choctaw Nation; that my post office address is Spiro, Ind. Ter.; that I am
(Here insert name of post office.)
Sister in law of Ella Burgevin,
(State relationship, as: the father; an uncle; a cousin, etc.) (Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation; and that said Ella Burgevin died on the 14 day of
(Here insert name of deceased.)
Feb, 1902.

Josephine L Burgevin

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 *day of* October, 1902

J Wesley Smith
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, John S Merryman, on oath state that I am
years of age, and a citizen, by blood, of the Choctaw Nation;
that my post office address is Spiro, Ind. Ter.;
(Here insert name of post office.)
that I was personally acquainted with Ella
(Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said Ella Burgevin died on the 14 day of
(Here insert name of deceased.)
Feb, 1902.

John S Merryman

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 *day of* Oct, 1902

J Wesley Smith
Notary Public

7 - 2798

Muskogee, Indian Territory, May 29, 1902.

Hill & Brizzolara,
Attorneys at Law,
Fort Smith, Arkansas.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 27th, requesting to be advised whether or not Julia Burgavin, infant child of John T. and Ella Burgavin, born in January 1899, is listed for enrollment as a citizen of the Chockaw Nation.

You are informed that our records show that Julia G. Burgevin, infant daughter of John T. and Ella Burgevin, born February 5, 1899, was listed for enrollment as a citizen by blood of the Choctaw Nation June 15, 1899.

Yours truly,

Commissioner in Charge.

7-2788.

Muskogee, Indian Territory, October 17, 1902.

Ella Burgevin,

Tucker, Indian Territory.

Dear Madam:

Information has been received at this office that your husband, John T. Burgevin, has died since the time he was listed for enrollment as a citizen by intermarriage of the Choctaw Nation.

If this information is correct, you are requested to have the enclosed blank for proof of death correctly executed, and return the same at your earliest convenience in the enclosed envelope.

You will note there is an affidavit for a relative and an acquaintance. In having the same executed, be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures are attested by two disinterested parties, witnesses thereto.

E B R

The notary public before whom the same are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Respectfully,

Acting Chairman.

Env.

D.C.

7-2798
7-5419

Muskogee, Indian Territory, October 29, 1903.

J. Wesley Smith,

Attorney at Law,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th inst., enclosing the affidavits of Josephine E. Burgevin and John S. Merryman relative to the death of John T. Burgevin, a citizen by intermarriage of the Choctaw Nation, which occurred February 9, 1902; and that of his wife, Ella Burgevin, a citizen by blood of the Choctaw Nation, which occurred February 14, 1902; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the persons named therein.

Receipt is also acknowledged of the affidavits of Josephine C. Burgevin and E.D. McDaniel relative to the death of Basil Duke Burgevin, a citizen by blood of the Choctaw Nation, which occurred November 23, 1899; and the same being in proper form have been duly filed with the records of the Commission as evidence of death of the above named person.

Respectfully,

Acting Chairman.

Choctaw 235
Chickasaw 2798

Muskogee, Indian Territory May 25, 1903.

C. I. Lowry,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 18th, in which you refer to four minor orphan children of your niece, and ask if you can be appointed their guardian. You state that their father's name was John Burgevan and their mother's was Ella Burgevan, that their father was a non-citizen and you understand that an uncle on their father's side has been appointed guardian for said children.

In reply to your letter you are informed that the matter of appointing guardians for minor citizens of the Choctaw and Chickasaw Nations is one that does not come within the jurisdiction of this Commission and it is therefore impossible to give you any information on this subject. You are informed however that the Commission will recognize in the selection of allotment for such minor citizens duly appointed and qualified guardians, irrespective of whether they have been appointed by the United States Court in Indian Territory or the Choctaw and Chickasaw tribal courts.

You are further advised that it appears from our records that Frances H., Edmond A., Henry A. and Julia G. Burgevin, chil-

G L L -2

dren of John T. and Ella Burgevin, both deceased, have been enrolled by this Commission as citizens by blood of the Choctaw Nation and their enrollment has been approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

2799 Oscar Krebbe Choc

2799

Empty

2800 maul E. Carney Choc

2800

RP

IN RE

Application for Enrollment of

INFANT CHILD.

John S. P. Carey

As a citizen of the

Choctaw Nation.

Approved January 2 1901

Commissioner.

Roll No. 8214

7-2300

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of John S. P. Carney, born on the day of , 1 .

Name of father: Frank W. Carney, a citizen by intermarriage of the Choctaw Nation.

Name of mother: Maud E. Carney, a citizen of the Choctaw Nation.

Post Office: Cowlington I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Maud E. Carney, on oath, state that I am 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Frank W. Carney who is a citizen, by intermarriage, of the Choctaw Nation; that a male child was born to me on the 25th day of July, 1898; that said child has been named John S. P. Carney, and is now living.

Witness F. W. Lobdell Maud E. Carney.
x Child present

Subscribed and sworn to before me this 16th day of June, 1899

A S McKennon
~~Notary Public~~.
Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, , a , on oath, state that I attended on Mrs. , wife of on the day of , 1 ; that there was born to her on said date a child; that said child is now living and is said to have been named .

Subscribed and sworn to before me this day of , 1 .

Notary Public.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

William McK Barney

as a citizen of

Nation.

Approved January 7 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 2 1901

ACTING CHAIRMAN.

CHOCTAW.

800.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of William McKenley Carney, born on the 6th day of November, 1900
(Here insert name of child)
Name of Father: F. W. Carney, a citizen of the Choctaw Nation.
Name of Mother: Maude E. Carney, a citizen of the Choctaw Nation.
P.O Cowlington when Enrolled Post-office, Kennedy I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, Maude E. Carney, on oath state that I am 19 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of F. W. Carney, who is a citizen, by Marriage, of the Choctaw Nation; that a Male (male or female) child was born to me on the 6th day of November 1900 that said child has been named William McKenley Carney, and is now living.

Maude E. Carney

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 27th *day of* December *1900.*

My Commission Expires Dec. 16, 1902. J. J. Rigg NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, R H German, a Physician, on oath state that I attended on Mrs. Maude E. Carney, wife of F. W. Carney, on the 6th day of November, 1900 that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Willie McKenley Carney

R H German M D

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 27 *day of* December *1900.*

My Commission Expires Dec. 16, 1902. J. J. Rigg NOTARY PUBLIC.

Muskogee, Indian Territory, January 2, 1901.

F. W. Carney,

Kennedy, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 27th of December, 1900, enclosing the application for enrollment as a citizen of the Choctaw Nation of William McKenley Carney, the infant son of F. W. and Maud E. Carney, born November 6th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Acting Chairman.

Enc u 7-2800

Acting Chairman.

You request in your letter that you be furnished with two blank applications for the enrollment of infant children and in accordance with such request, there are enclosed you herewith two blanks of the description desired. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in the event either the mother or attending physician or nurse making affidavit to the birth of the child, are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties as witnesses thereto. The Notary Public taking the acknowl edgements of the mother and attending physician or nurse, must affix his notarial jurat and seal to each separate affidavit.

Yours truly,

Enc u 7-2800

Acting Chairman.

Muskogee, Indian Territory, January 3, 1901.

F. W. Carney,

Kennedy, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of William McKenley Carney, the infant son of F. W. and Maud E. Carney, born November 6th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

9-2800

2801 Wiley B. morgan doc

Dismissed Sept 20, 1904

2801

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

Wiley B. Morgan 7-2801.

----o----
---o---
--o--
-o-
o
.

W A

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Wiley B. Morgan as intermarried Choctaw; being sworn and examined by Com'r McKennon he testifies:

Name is Wiley B. Morgan, seventy-three years old.

Q You are the identical person who was admitted by the United States Court , South McAlester, August 25th, 1897, in case number 127, as W. B. Morgan? A I reckon so.

Q Where have you been living?

A Here in the Territory about eighteen year.

Q All the while?

A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that my official oath as stenographer to the above named Commission, that this transcript is a full and correct translation of my stenographic notes.

M D Green

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. November 9, 1901.

In the matter of the application of Susan Morgan for enrollment as an intermarried citizen of the Choctaw Nation.

Susan Morgan being first duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Susan Morgan.
Q What is your age? A 30 years old.
Q What is your post office address? A Ward is my post office.
Q Where is Ward? A It's in the Choctaw Nation.
Q How long have you resided in the Choctaw Nation? A Eight years.
Q You have maintained a continous residence for eight years in the Choctaw Nation? A Yes sir.
Q Your purpose in appearing before the Commission at this time is to make application for enrollment of yourself as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q To whom are you married? A Mr. Wiley B. Morgan.
Q Is he a citizen by blood of the Choctaw Nation? A No sir.
Q He is a white man is he? A Yes sir.
Q Is he ~~x~~ recognized as an intermarried citizen of the Choctaw Nation? Do you know? A Yes sir.
Q To what county does he belong? A Sans Bois County.
Q Was he admitted to citizenship by a judgment of the United States Court? A Yes sir.

The records of the Commission examined and the name of Wiley B. Morgan, 73 years of age, of Garland, Indian Territory is found upon Choctaw roll card field number 2801. The records show that he was admittedas an intermarried citizen of the Choctaw Nation by the United States Court for the Central District of the Indian Territory at South McAlester, Indian Territory, August 25, 1897 in court case number 127.
The records further show that he was admitted as W. B. Morgan.

Q When were you married to Wiley B. Morgan? A April 28th, in '96.
Q Where? A At Garland, Indian Territory.
Q By whom were you married? A Will Garland.
Q Was he an official of the Choctaw Nation? A Yes sir.
Q What position did he occupy at that time? A He was county judge of Sans Bois County.
Q Were you married under a Choctaw license? A No sir I dont reckon; we were just married by a Choctaw judge.
Q Have you your marriage license or certificate? A Yes I have a certificate.
Q Do you wish to offer it in evidence? A Yes sir.

There is offered in evidence, filed and made part of the records in this case and marked "Exibit A" the following affidavit of W. C. Garland:

AFFIDAVIT.

"I, W. G. Garland do Solemly Swear that I did Solemnize the right of matrimonie between W. B. Morgan and Susie Wallice on t the 28th of April 1896 then being duly commissioned as county Judge of Sans Bois county Choctaw Nation Indian Territory.

W.G.Garland.

Sworn to and subscribed before me this 6th day of November 1901.

C. C. Jones.
Notary Public
(Seal) My Commission Expires February 8th, 1903."

There is also offered in evidence filed and made part of the records in this case and marked "Exibit B" the affidavit of S. E. Wilson, a witness to the marriage of the applicant to W. B. Morgan, which is as follows:

"Affidavit -
I, S. E. Wilson
Do solemly Swear that on the 28th day of April 1896 I was present when W. B. Morgan and Susie Wallice was Married. By W. G. Garland then county Judge of Sans Bois County Choctaw Nation Ind. Tery.

S. E. Wilson

Sworn to and Subscribed before me this 5th day of November 1901.

C. C. Jones
Notary Public.
(Seal) My Commission Expires February 8th 1903"

Q Have you a certified copy of the judgment admitting W. B. Morgan to citizenship in the Choctaw Nation by the United States Court? A Yes sir.
Q Do you desire to offer it in evidence? A Yes sir.

There is offered in evidence, filed and made part of the records in this case and marked"Exibit C" a certified copy of the judgment of the United States Court for the Central District of the Indian Territory admitting to citizenship as an inter-married citizen of the Choctaw Nation W. B. Morgan.

Q What is the name of your father? A W. G. Long
Q Is he living or dead? A He's living.
Q What is the name of your mother? A Lettie Long.
Q Is she living or dead? A She's dead.
Q Did either your father or mother ever claim citizenship in any of the tribes in Indian Territory? A Well my father claims Choctaw blood but he never tried to make application before the Commission.
Q Your father then claims to be a Choctaw Indian by blood? A Yes sir.
Q Has he ever made application for enrollment to this Commission?
A I dont think he ever has; I am not certain but I dont think that he ever has.

The records of the Commission examined and it does not appear that W. G. Long ever made application for enrollment as a citizen by blood of the Choctaw Nation.

Q Do you know whether he ever made application for admission as a

a citizen by blood of the Choctaw Nation to the legally constituted authorities of the Choctaw Nation? A He went to the council.
Q What time did he go to the Council? A It was in 94 I think.
Q Did he at that time make application for admission to citizenship in the Choctaw Nation as a citizen by blood? A He did'nt go to the council I dont reckon; he went to the judge - not the judge but the chief of the Choctaw Nation. Thats where he went- Green McCurtain

The records of the Choctaw Nation now in the possession of the Commission examined and the name of W. G. Long is not found thereon.

Q He never made application to the Choctaw council that you know of? A No sir.
Q Do you know why he did not make application? A Because he could'nt make the proof that they desired him to make.
Q Was your father ever admitted to citizenship in the Choctaw Nation by a judgment of the United States Court? A No sir.

The court records in the possession of the Commission examined and it does not appear that W. G. Long was ever admittedto citizenship in the Choctaw Nation by a judgment of the United States Court.

Q Did your mother claim to be a Choctaw Indian? A No sir.
Q She was a white woman? A Yes sir.
Q You were married to Mr. Morgan in 1896? A Yes sir.
Q Do you know when he made application for enrollment before this Commission? A For himself?
Q Yes. A Well the first application he ever made was in '96., September '96.
Q Did he make any application for your enrollment? A No sir.
Q Do you know why he did' t make any application for your enrollment when he applied for his own admission? A Well he said that his attorney instructed him not to at that time.

The decision of the Commission as to your application for enrollment as an intermarried citizen of the Choctaw Nation will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being first duly swon on her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 9th day of November 1901a and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 9th day of November 1901.

Notary Public.

C O P Y.

(COPY)

Indian Territory,)
Central Dist,)
Choctaw Nation,)
Sans Bois County)

In the matter of W. B. Morgan,
claimant for citizenship in the
Choctaw Tribe of Indians.

Personally appeared before me J. H. Newton a due commissioned and acting Notary Public within and for the Central District Indian Territory W. B. Morgan, who, after being sworn, on oath deposes and says:

My name is W. B. Morgan, I am 68 years old; my post Office is Garland I Ter. I am entitled to citizenship in the tribe of Choctaw indians on account of having in the Month of May 1887 married F. L Rooney who was a half blood Choctaw woman, at the time of my marriage with the said F. L Rooney, She was the widow of one Roony, tho was then dead. Said F. L. Rooney, my wife, died sometime during the year 1887, some months after our marriage. Her father was a Kentuckian - I am unacquainted with her family history more than cited above. I hereby make application for citizenship as an intermarried White man with the Said F. L. Rooney, who was a half breed Choctaw and petition your Honorable Commission to enroll me as a member of the tribe of Choctaw Indians, and offer the enclosed evidence of my right to said Citizenship, marked A & B. and made part hereof.

W. B. Morgan

Subscribed and sworn to before me this 5th day of September 1896.

J. H. Newton
Notary Public

(SEAL)

Indian Territory)
Central Dist.)
Choctaw Nation)

I hereby certify that the within and foregoing is a true copy of the original sent this day to the Dawes Commission at Vinita I. Tr.

J. H. Newton
Notary Public

(SEAL)

(Copy)

The Choctaw Nation)
County of Sans Bois)

To all whom these presents shall come greeting:

Know ye that whereas W. B. Morgan a citizen of the United States has this day made application to me the under signed for a license to contract marriage with Mrs F. L. Rooney, a Citizen of Sans Bois County Choctaw Nation, Now therefore by virtue of the authority in me vested by Constitution and laws of the Choctaw Nation do hereby grant with the said W. . Morgan a license for the purpose and in compliance with the facts set forth in his applicantion.

Given under my hand this the 26th day of May A D 1887.

Signed Joseph Garland
Supreme Judge of the 1st
Judicial District

Indian Territory
Central Dist.
Choctaw Nation
Sans Bois County
I hereby Certify that
the above is a true copy of the original as copied by me this
5th day September

(SEAL) J. H. Newton
Notary Public

this certifies that W. B. Morgan a citizen of the United States and F. L. Rooney a citizen of the Choctaw Nation were at Mr Days home in the said county by me joined together in holy matrimony.
Given under my hand this 26th day of May 1887

Signed Joseph Garland
(L S) Supreme Judge of the 1st Judicial District

Recorded on the record book in the Circuit Clerk's office on page 923 - this the 22 day of June A D. 1887.
(Signed) H. Kayser
Circuit Clerk.

I hereby certify that the above is a true copy of the original as copied by me this 5th day of June 1896.
J. H Newton
Notary Public Central
Dist Ind. Ter.

(SEAL)

"A"

(copy) Tamaha, C. N. May 25th 1887.
Choctaw Nation) County of Sans Bois
Indian Territory)

Know all men by these presents that we the undersigned citizens of the Choctaw Nation do hereby recommend and ask that W B. Morgan, a citizen of the United States , and Mrs F L Roony, a citizen of the Choctaw Nation shall be united in bonds of Matrimny according to the laws of the Choctaw Nation and recognized as citizen of the Choctaw Nation.

This 25th day of May 1887

signed - A. Burns
J S. Forrest
J. Pierce Thompson
Austin McCann
Joseph Garland
Jas Garland
Ellis Fowler
P P. Garland
Morris Garland

Signed Ward Garland
Edward Nail
Isaac Garland

Record on Record book on page 923 in Circuit Clerk office this 22 day of June 1887
(signed) H. Kayser
Clerk.

(L S)
Seal

Indian Territory

Central Dist
Choctaw Nation
I hereby certify thatthe above is a true copy of the

original, as copied by me this 5th day of September 1896.
J H Newburn
Notary Public

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct copy of the original copies now on file with the Commission.

Chas. T. Difendafer

Subscribed and sworn to before me this 12th day of May 1904.

Charles H. Sawyer

Notary Public.

J. W. H.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

I.T.D. 5246-1904.
6174- "

August 3, 1904.

L. R. S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

June 8, 1904, you transmitted the papers in the matter of the application of Clay McCoy for enrollment as a citizen by intermarriage of the Chickasaw Nation.

It appears that McCoy was married in 1895 to a citizen by blood of the Chickasaw Nation, in accordance with the laws of that nation; that his wife's name is now borne upon the rolls of the Chickasaw Nation prepared by you and approved by the Department, and that they have resided continuously in said nation since their marriage. In 1896 McCoy was "admitted" as a citizen by intermarriage by your Commission. Your decision was affirmed, in 1898, by the United States Court for the Southern District of Indian Territory. The decision of the United States Court was vacated, however, by a decree of the Choctaw-Chickasaw Citizenship Court rendered December 19, 1902, in the test case of J. T. Riddle vs. the Choctaw and Chickasaw Nations.

You express the opinion that your Commission is apparently without further jurisdiction or authority in any manner to determine McCoy's application. You request, however, inasmuch as

the cases of a number of applicants occupy an analogous status with that of Clay McCoy, that your Commission be specifically instructed as to what disposition should be made of such cases.

Reporting in the matter June 24, 1904, the Acting Commissioner of Indian Affairs recommends "that the Commission be advised that they are without authority to take action of any character looking to the enrollment of Clay McCoy, or any person similarly situated."

In an opinion rendered July 30, 1904, approved by the Department the same day, relative to the question submitted by you, the Assistant Attorney General for this Department concurred in the views of the Indian Office. A copy of his opinion is inclosed herewith, for your guidance, together with a copy of the Acting Commissioner's letter.

Respectfully,

Thos Ryan
Acting Secretary.

2 inclosures.

(COPY)

DEPARTMENT OF THE INTERIOR,

I.T.D.
5246-1904.

Office of the Assistant Attorney-General,

J.R.W.
S.V.P.

Washington,

July 30, 1904.

The Secretary of the Interior.

Sir:

I received by reference of July 23, 1904, the papers in the application of Dr. Clay McCoy, for enrollment as a citizen, by intermarriage, of the Chickasaw Nation, transmitted by the Commission of the Five Civilized Tribes, with request for specific instructions for their guidance in similar cases. I am requested to render an opinion upon the case presented.

The record shows that McCoy, a white man, April 17, 1895, according to the usages and customs of the Chickasaw Nation, under a Chickasaw tribal license, married Sallie Goldsby, a recognized and enrolled citizen by blood of the Chickasaw Nation. She has been enrolled by the Commission, number 3905, of the rolls approved by the Secretary of the Interior, December 12, 1902. Since the marriage McCoy has lived continuously with her in the Chickasaw Nation.

Under the act of June 10, 1896 (29 Stat., 321), McCoy, August 29, 1896, applied to the Commission to be enrolled as a citizen by intermarriage, which was allowed, November 23, 1896, and the Chickasaw Nation alone appealed to the United States

Court, Southern District, Indian Territory, and by that court the judgment of the Commission was affirmed, March 15, 1898. Under the act of July 1, 1902 (32 Stat., 641), in a suit instituted by the Choctaw and Chickasaw Nations against J. T. Riddle and others, this judgment admitting McCoy to enrollment was vacated December 17, 1902. McCoy did not appeal or obtain certification of his case to the citizenship court under sections 31, 32, and 33 of the act of July 1, 1902 (32 Stat., 646-8), but, at suggestion of counsel for the Chickasaw Nation, given him December 24, 1902, applied to the Commission to the Five Civilized Tribes for enrollment. February 15, 1904, with reference to this and like cases, the Commission adopted a rule that:

> Resolved, that the status of these applicants in whose cases appeals to the Choctaw and Chickasaw Citizenship Court have not been taken be considered by the Commission without reference to any action by the United States Court in Indian Territory or by the Choctaw and Chickasaw Citizenship Court and that the original judgment as entered by the Commission to the Five Civilized Tribes in 1896 be held valid and in full force and effect.

The Choctaw and Chickasaw Nations objected, and such proceedings were taken that May 3, 1904, the Secretary of the Interior requested the opinion of the Attorney-General as to the effect of the decree of the citizenship court, who, May 9, 1904, rendered his opinion

> That annulment of the United States Court judgments affirming a favorable decision of the Commission to the Five Civilized Tribes upon an application for citizenship so far deprives the applicant of a favorable judgment as to devolve upon him the duty of causing his cause to be transferred to the Citizenship Court.

I am further of opinion that annulment of the United States Court judgment did not revive and put into force and effect the judgment of the Commission to the Five Civilized Tribes admitting such person to citizenship and that enrollment by the Commission based upon such a theory would be a clear violation of the rights of the Indian nations.

The Commission to the Five Civilized Tribes expresses the opinion that:

In view of this recent opinion the Commission is apparently without further jurisdiction or authority in any manner to determine the application of Clay McCoy for enrollment as a citizen by intermarriage of the Chickasaw Nation. Seemingly his failure to appeal or have certified to the Choctaw and Chickasaw Citizenship Court the record in the case before the United States Court for the Southern District of the Indian Territory has so far deprived him of a favorable judgment as to prohibit his enrollment as an intermarried citizen of the Chickasaw Nation.

The Indian Office recommends that:

It is therefore respectfully recommended that the Commission be advised that they are without authority to take action of any character looking to the enrollment of Clay McCoy, or any person similarly situated.

My attention is by the letter of reference specially directed to sections 27, 28, and 34 of the act of July 1, 1902, supra, which sections, so far as here material, are as follows:

27. The rolls of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen shall be made by the Commission to the Five Civilized Tribes, in strict compliance with the act of Congress approved June 28, 1898 (30 Stats., 495), and the act of Congress approved May 31, 1900 (31 Stats., 221), except as herein otherwise provided: Provided, That no person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stats., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotment of lands or distribution of tribal property until his

right thereto has been finally determined.

28. The names of all persons living on the date of the final ratification of this agreement entitled to be enrolled as provided in section 27 hereof shall be placed upon the rolls made by said Commission;. . . . . .

34. During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents," and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this act by Congress, . . .

McCoy was clearly a person whose right was "contested" within the meaning of section 27. Whether he was or was not made party to the representative suit contemplated by section 31, 32, 33, he had right to be made a party on application, and the judgment in the action operated to annul the favorable judgment that he before had recovered.

It is not my province to question the opinion of the Attorney-General herein rendered, May 9, 1904, supra; that opinion is conclusive in the present case. I therefore concur in the view expressed by the Indian Office.

Very respectfully,

Frank L. Campbell,
Assistant Attorney-General.

Approved: July 30, 1904.

Thos Ryan,
Acting Secretary.

(COPY)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Land.
40496-1904.

Washington, June 24, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose herewith a report from the Commission to the Five Civilized Tribes dated June 8, 1904, in which they say that Clay McCoy, a white man, who has resided in the Chickasaw Nation for 33 years last past, was married to Sallie Goldsby, a recognized and enrolled citizen of the Chickasaw Nation, on April 17, 1895; that said marriage was performed in accordance with the laws of the Chickasaw Nation, and was solemnized on April 17, 1895, by Rev. J. S. Murrow; that the applicant's wife has been enrolled as a citizen by blood of the Chickasaw Nation; that her name appears on the approved partial roll apposite No. 3905; that McCoy has lived in the Chickasaw Nation continuously since his marriage, and that he and his wife have lived together as husband and wife since said marriage; that under provisions of the act of June 10, 1896, Clay McCoy applied to the Commission for admission to citizenship in the Chickasaw Nation as an intermarried citizen, claiming right by virtue of his marriage to Sallie McCoy, nee Goldsby; that on November 23, 1896, the Commission rendered a decision admitting Clay McCoy as an intermarried

citizen of the Chickasaw Nation; that an appeal was taken from the Commission's decision, and that on March 15, 1898, the United States Court for the Southern District of the Indian Territory affirmed the Commission's decision.

They then say that by the decision of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test suit, that of the Choctaw--Chickasaw Nations vs. J. T. Riddle, et al., the judgment of the United States Court in the case mentioned was annulled and vacated; that after the rendition of the judgment mentioned Clay McCoy on December 22, 1902, addressed a communication to Mansfield, McMurray and Cornish, attorneys for the Choctaw and Chickasaw Nations, relative to his status at that time as an intermarried citizen of the Chickasaw Nation, and that on December 24, 1902, they advised him as follows:

> "The decision of the Choctaw and Chickasaw Citizenship Court is that all 'court claimants' judgments are void. The effect of this would be of course to leave the judgments of the Dawes Commission as they were before they were appealed from.
>
> As to whether or not the Commission would permit application in pursuance of this judgment we are unable to say but it might be well for you to make such an application along the line suggested in your letter."

It is shown by said report that Clay McCoy did not appeal from the decision of the United States Court, or have certified to the Choctaw and Chickasaw Citizenship Court within the time prescribed by the Act of July 1, 1902 (32 Stats. 641); the record and proceedings in his case before the United States Court for the Southern District of the Indian Territory,

and that the Commission, at a session held at the general office at Muskogee, Indian Territory, on February 15, 1904, with reference to persons occupying an analogous status to that of Clay McCoy, adopted the following resolution:

> "Resolved that the status of these applicants in whose cases appeals to the Choctaw and Chickasaw Citizenship Court have not been taken be considered by the Commission without reference to any action by the United States Court in Indian Territory or by the Choctaw and Chickasaw Citizenship Court and that the original judgment as entered by the Commission to the Five Civilized Tribes in 1896 be held valid and in full force and effect."

To this action of the Commission the attorneys for the Choctaw and Chickasaw Nations entered objections, and all of the papers received with the Commission's report of February 15, 1903, concerning this subject were transmitted to the Department with office report of March 12, 1904. This office did not agree with the position taken by the Commission, and the Acting Attorney General, in an opinion dated May 9, 1904, said:

> "That annulment of the United States Court judgments affirming a favorable decision of the Commission to the Five Civilized Tribes upon an application for citizenship so far deprives the applicant of a favorable judgment as to devolve upon him the duty of causing his cause to be transferred to the Citizenship Court.
>
> I am further of opinion that annulment of the United States Court judgment did not revive and put into force and effect the judgment of the Commission to the Five Civilized Tribes admitting such person to citizenship and that enrollment by the Commission based upon such theory would be a clear violation of the rights of the Indian nations."

The Commission say that in view of this opinion

they are apparently without jurisdiction or authority in any manner to determine the application of Clay McCoy for enrollment as an intermarried citizen of the Chickasaw Nation, and ask for instructions in the premises.

The opinion of the Acting Attorney General is in plain and unmistakable language. He says that it was the duty of all persons who had favorable court judgments, which judgments were annuled by the decision in the test suit, to appeal to the Citizenship Court within the time prescribed by the supplemental agreement, and that the duty of causing the record and proceedings had in the United States Court to be transferred to the Citizenship Court was incumbent upon the applicant, and that by a failure to cause such transfer to be made within the time prescribed by law the applicant was not entitled to enrollment. Under this opinion itis evident that in cases of the character of the one under consideration the Commission has no power or authority in the premises, and that the Department has no duty to perform.

It is therefore respectfully recommended that the Commission be advised that they are without authority to take action of any character looking to the enrollment of Clay McCoy, or any person similarly situated.

Very respectfully,

A. C. Tonner,
Acting Commissioner.

GAW-lla

N.Y.

7-2181.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Wiley B. Morgan as a citizen by intermarriage of the Choctaw Nation.

------:------:------

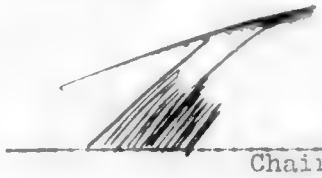
It appears from the records of the Commission to the Five Civilized Tribes that on September 9,1896, in the case entitled "W.B. Morgan vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 360), the applicant, Wiley B. Morgan, made original application to said Commission under the provisions of the act of Congress approved June 10,1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation, and on December 2, 1896, the said Wiley B. Morgan was by the Commission to the Five Civilized Tribes admitted to citizenship in the Choctaw Nation as a citizen by intermarriage. From this decision of the Commission an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which court, in the case entitled "W.B. Morgan vs. Choctaw Nation" (citizenship case number 127) affirmed the decision of the Commission admitting Wiley B. Morgan as an intermarried citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commission that on December 17,1902, the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stats., 641), " set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1,1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904(I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30,1904 (I.T.D. 5246-1904) the Commission

to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Wiley B. Morgan as a citizen by intermarriage of the Choctaw Nation, and it is, therefore, hereby ordered that the application of Wiley B. Morgan for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory.

SEP 20 1904

7-2801

COPY.

Muskogee, Indian Territory, September 20, 1904.

Wiley B. Morgan,

Garland, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 20, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Incl. -7-2801.

7-2801

COPY.

Muskogee, Indian Territory, September 20, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 20, 1904, dismissing the application for the enrollment of Wiley B. Morgan as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Incl. 7-2801.

7-2801.

COPY.

Muskogee, Indian Territory, December 21, 1903.

Wiley B. Morgan,

Garland, Indian Territory.

Dear Sir:

You are hereby advised that on Monday, January 11, 1904, at nine o'clock A. M. at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, oral argument will heard by the Commission on the question of its jurisdiction to now enroll as citizens of the Choctaw and Chickasaw Nations those persons admitted to citizenship in these two nations by the Commission under the provisions of the act of Congress approved June 10, 1898, and where an appeal was taken from such decisions to the United States Courts for the Southern and Central Districts of the Indian Territory.

These decisions of the Commission being subsequently affirmed by judgments of the United States Courts and such judgments vacated and held to be null and void by the decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902: and such persons not having appealed or had certified to the Choctaw and Chickasaw Citizenship Court their cases for a trial de novo, it is contended by the attorneys for the Choctaw and Chickasaw Nations that

by the nullification of the judgments of the United States Courts by the decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, the rights of such persons to citizenship in the Choctaw and Chickasaw Nations under the decisions of the Commission became extinguished.

Respectfully,

Tams Bixby.
Chairman.

7-2801

Muskogee, Indian Territory, January 18, 1904.

Wiley B. Morgan,

Garland, Indian Territory.

Dear Sir:

In the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, you are hereby notified that, before further consideration can be given your application, it will be necessary for you to appear in person before the Commission at its office in Muskogee, Indian Territory, to testify as to your status as an intermarried citizen of the Choctaw Nation on September 25, 1902.

Respectfully,

Chairman.

7-2801

Muskogee, Indian Territory, December 9, 1904.

T. A. Holley,

Attorney at Law,

Stigler, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 2, 1904, in which you state that the letter of the Commission of September 20, 1904, dismissing the application of Wiley B. Morgan for enrollment as an intermarried citizen of the Choctaw Nation was held in the office until a few days ago. You understand that the Commission dismissed his application on account of jurisdiction and request to be informed to whom appeal should be taken to establish the fact that Mr. Morgan complied with all the requirements in regard to intermarried citizens.

In reply to your letter you are informed that it appears from our records that Wiley B. Morgan was admitted by the Commission as an intermarried citizen of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, that on appeal the United States Court for the Central District of Indian Territory affirmed the decision of the Commission and admitted said Wiley B. Morgan as an intermarried citizen of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizen-

ship Court, created under the provisions of the Act of Congress approved July 1, 1902 vacated and set aside all judgments of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations. It does not appear that appeal was taken by Wiley B. Morgan to the Choctaw and Chickasaw Citizenship Court within the time provided by the Act of Congress of July 1, 1902, above referred to.

On February 15, 1904, the Commission adopted the following rule:

"Resolved, that the status of those applicants in whose cases appeals to the Choctaw and Chickasaw Citizenship Court have not been taken be considered by the Commission without reference to any action by the United States Court in Indian Territory or by the Choctaw or Chickasaw Citizenship Court and that the original judgment as entered by the Commission to the Five Civilized Tribes in 1896 be held valid and in full force and effect."

The Choctaw and Chickasaw Nations objected to this action of the Commission and the matter was submitted to the Attorney-General, who on May 9, 1904, rendered his opinion in which he states in part:

"That annulment of the United States Court judgments affirming a favorable decision of the Commission to the Five Civilized Tribes upon an application for citizenship so far deprives the applicant of a favorable judgment as to devolve upon him the duty of causing his cause to be transferred to the Citizenship Court.

I am further of opinion that annulment of the United States Court judgment did not revive and put into force and effect the judgment of the Commission to the Five Civilized Tribes admitting such person to citizenship and that enrollment by the Commission based upon such a theory would be a clear violation of the rights of the Indian nations."

Under the opinion of the Attorney-General above referred to the Commission is without jurisdiction to consider the applica-

C. A. H. #3

tion of Wiley P. Morgan for enrollment as an intermarried citizen of the Choctaw Nation and on September 20, 1904, the case was dismissed.

Respectfully,

Chairman.

7-2801

Muskogee, Indian Territory, March 20, 1905.

Fannin & Becket,

Attorneys at Law.

Stigler, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 14, 1905, asking the present status of the citizenship claim of W. B. Morgan of Garland, Choctaw Nation, Indian Territory.

In reply to your letter you are informed that it appears from our records that on September 20, 1904, the Commission to the Five Civilized Tribes dismissed the application of Wiley B. Morgan of Garland, Indian Territory, for enrollment as an intermarried citizen of the Choctaw Nation under an opinion of the Acting Attorney General of the United States of May 9, 1904, and the assistant Attorney General of July 30, 1904, it appearing that the said Wiley B. Morgan was admitted as an intermarried citizen of the Choctaw Nation by this Commission under the provisions of the act of Congress approved June 10, 1896, and on appeal the United States Court for the Central District of Indian Territory sustained this decision of the Commission; on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the act of Congress approved July 1, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory admitting persons as citizens of

F. & B.#2

the Choctaw and Chickasaw Nations and Wiley B. Morgan did not appeal or have certified to the Choctaw and Chickasaw Citizenship Court for a trial denovo the papers in his case.

Respectfully,

Chairman.

2802 Lysander Trahery Choc

2802

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

The record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of--

WALTER McFERRAN ---------- 7 D-696.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, January 23rd, 1902.

In the matter of the application of Walter McPherran for enrollment as a citizen by intermarriage of the Choctaw Nation. Walter McPherran being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Walter McPherran.
Q How old are you? A I am twenty-three years old.
Q What is your post-office address? A Walls, Choctaw Nation.
Q How long have you lived in the Choctaw Nation?
A Twelve years.
Q Have you resided there continuously for the past twelve years? A Yes sir.
Q What is your father's name? A John McPherran.
Q Is your father living? A Yes sir.
Q What is your mother's name? A Ruthie McPherran.
Q Is your mother living? A Yes sir.
Q Your mother and father both white persons? A Yes sir.
Q Did either one of them ever make any claim to citizenship in any tribe of Indians? A No sir.
Q You are a white man? A Yes sir.
Q Have you ever been enrolled as a citizen of the Choctaw Nation? A No sir.
Q Have you ever drawn any money as a citizen of any tribe of Indians? A No sir.
Q Have you ever been admitted to citizenship in any tribe of Indians in Indian Territory? A No sir.
Q You are making application at this time for enrollment as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
Q What is the name of the Choctaw woman to whom you are married? A Isabelle Trahern.
Q How old is she? A She is twenty-three years old. Will be in February.
Q What is her father's name? A Why - E. T. Trahern, I believe they sign it. No, L. T. Is his initials. They call him Don I believe.
Q Where does he live? A He lives at Brazil postoffice.
Q Do you knowthe name of Isabelle Trahern's mother? A No sir, I do not.
Q Has she got any brothers or sisters? A Why - she's got a brother if he is living. He went to the Philippine war. She has not heard from him for some time. I don't know whether he is living or not.
Q What is his name? A Walter Trahern.
Q Was her father ever known by the name of Lysander Trahern?
A L. T. Trahern is the way he signs his name. I never heard any one call his name.

Walter McPherran 2---

The records of the Commission examined and the name of Isabelle Trahern, 17 years of age, is found upon Choctaw roll card, field No. 2802 having been so listed on June 16, 1899 and being identified from the 1896 census roll of citizens of the Choctaw Nation as a resident of Skullyville County.

Q When were you married to Isabelle Trahern? A Married December 18, 1901.
Q Where were you married? A Married at Brazil Station.
Q Married under a Choctaw license? A Yes sir.
Q Have you your marriage license and certificate with you?
A Yes sir.

The applicant here offers in evidence and there is marked Exhibit "A" filed, and made a part of the record in this case, a marriage license issued by Marcus Battice, Clerk of Gaines County, Choctaw Nation to Walter McPherran to marry Isabel Trahern the same being dated December 2, 1901.

Q How much did you pay for this license? A A hundred dollars.
Q Were you married to this woman, Isabelle Trahern? A Yes sir.
Q When were you married? A Married December 18th.
Q Have you your marriage certificate? A Yes sir.

There is offered in evidence, marked Exhibit "B", filed and made a part of the record in this case, certified copy of the marriage certificate of A. L. Anderson as to the marriage of Walter McPherran and Isabel Trahern on the 18th day of December, 1901.

Q Were you ever married to this woman under any other license than by this license issued by the Choctaw tribal authorities? A No sir.
Q Were you ever married before you married Isabelle Trahern?
A No sir.
Q Was she ever married before she married you? A No sir.
Q The marriage under this license of December 2, 1901, is the only time either of you have ever been married? A Yes sir.
Q You and this woman are living together now as man and wife?
A Yes sir.
Q You are both residents of the Choctaw Nation? A Yes sir.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 23rd day of January, 1902, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceeding on said date.

Myra Young

Subscribed and sworn to before me this 23rd day of January, 1902.

Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Wister, I. T., December 17th, 1902.

Choctaw D-696
Intermarried

--------oOo--------

In the matter of the application of Walter McFerran for enrollment as an intermarried citizen of the Choctaw Nation.

Walter McFerran being first duly sworn testified as follows:

Examination by the Commission.

Q Your name is Walter McFerran? A Yes sir.
Q How old are you? A Twenty-four years old.
Q What is your post office address? A Walls.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation?
A About fourteen years.
Q Have you lived here continuously for the past fourteen years?
A Yes sir.
Q Never made your home anywhere else during that time? A I was in Oklahoma about eighteen months; about fourteen months I reckon.
Q When was that? A That was in '91.
Q Since that time have you lived here continuously? A Yes sir.
Q Do you claim intermarried rights in the Choctaw Nation?
A Yes sir.
Q What is the name of your Choctaw wife through whom you claim these rights? A Isabelle Trahern.
Q Is she a recognized and enrolled citizen of the Choctaw Nation?
A Yes sir.
Q Have her rights as such ever been disputed? A No sir.
Q When were you married to Isabelle Trahern? A In 1901, December the 18th.
Q Where was this marriage ceremony performed? A Brazil, Skullyville county.
Q At that time were both you and your wife bona fide residents of the Choctaw Nation? A Yes sir.
Q Were you married in accordance with the Choctaw tribal law?
A Yes sir.
Q Did you obtain a tribal license? A Yes sir.
Q From whom did you get that license? A From Marcus Battiest, county clerk of Gaines county.
Q How much did you pay for the license? A One hundred dollars.
Q Who performed the marriage ceremony? A Parson Anderson.
Q Were you ever married previous to your marriage to Isabelle Trahern? A No sir.
Q Was she ever married previous to her marriage to you? A No sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.

Q Has there been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

- - - - - - - - -

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 17th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

Subscribed and sworn to before me this 29 day of January, 1903.

Charles T. Sawyer

Notary Public.

Exhibit "A"

COMMISSION TO THE ... TRIBES.
FILED

Choctaw Nation,

Indian Territory.

Marriage License.

Know All Men to Whom These Presents Shall Come, GREETING:

KNOW YE THAT I [illegible] of Gaines County Choctaw Nation, by virtue of authority in me vested by the constitution and laws of said nation do hereby grant unto [illegible], a citizen of the United States a license to marry [illegible] a citizen of the Choctaw Nation by blood, into the Holy Bonds of Matrimony, and any Minister of the Gospel or Judge of the Court in the Choctaw Nation is hereby authorized to consumate the same in wedlock.

Given under my hand and seal on this [illegible] day of [illegible] 190[illegible]

SEAL

[illegible]

[illegible]

GAZETTE JOB PRINT, WILBURTON, IND. TER.

CERTIFICATE of MARRIAGE.

THIS is to certify that Walter McFerran of Walls, I. T. and Isabel Trahern of Sutter, I. T. have been by me joined together in the Holy Bonds of Matrimony.

This 10th day of December, 1901.

Witness J J Hardy A L Anderson

Minister of the Co pel.

Filed in the Clerk's

OFFICE

December 21, 1901.

Page 26 (Record Book)

Marcus Battice

Clerk of Gaines County, Choctaw Nation.

Exhibit B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN

To Whom this May Concern:

This is to certify that the accompanying marriage license and certificate of marriage are true and correct copies of the original marriage license and certificate, and that the contracting parties mentioned therein have fully complied with the requirements of the inter-marriage laws of the Choctaw Nation.

Certified thereto by me this the 16th day of December, 1901.

Marcus Battice

Clerk of Gaines County, Choctaw Nation.

7 D-696.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Walter McFerran as a citizen by intermarriage of the Choctaw Nation.

- D E C I S I O N -

It appears from the record herein that Walter McFerran, on December 18, 1901, was lawfully married to Isabelle McFerran, (nee Trahern) a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8217 upon the lists prepared by this Commission, under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation and that they have lived together continuously in said Nation as husband and wife from the date of their said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Walter McFerran should be enrolled as a citizen by intermarriage of the Choctaw Nation, under the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
JAN [illegible]

COPY.

7-[illegible].

Muskogee, Indian Territory, January 14, 1904.

Walter McCarroll,

Wells, Indian Territory.

Dear Sir:-

Enclosed herewith you will find a copy of the decision of the Commission, rendered January 8, 1904, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from the date hereof within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

[illegible]

Commissioner in Charge.

Registered.
Enc: 7-D-[illegible].

7-D-696

Muskogee, Indian Territory, January 8, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered January 8, 1904, granting the application of Walter McFerran, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling said Walter McFerran as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed, his name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

T. B. [illegible]

Commissioner in Charge.

Registered.

Enc. HG. 7-D-696

7-2802.

Muskogee, Indian Territory, October 30, 1902.

Lysander Trahern,

Brazil, Indian Territory.

Dear Sir:

The Commission wishes to be informed whether your son, Walter Trahern, is living or dead. If he is dead you will kindly have the enclosed blank for proof of death properly filled out, all names written in full.

You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that the notary public before whom the affidavits are sworn to affixes his notarial jurat and seal to each affidavit, and in event either of the persons whose names are to be affixed to the affidavits are unable to write and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto.

This matter should receive your immediate attention as nothing further can be done in the matter of the enrollment of your son until this information is received.

Respectfully,

Env.
D.C.

Acting Chairman.

7-2802

Muskogee, Indian Territory, December 22, 1902.

Lysander Trahern,

Milton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 15, in which you send the names of yourself and your son, Walter Trahern, and state that your son is in the United States army in the Philippines and it is impossible for you to appear before the Commission at this time.

In reply to your letter you are advised that it appears from our records that Lysander Trahern and son, Walter Trahern, are listed for enrollment as citizens by blood of the Choctaw Nation, having been identified from the 1896 census roll of the Choctaw Nation, Skullyville County, being numbers 11922 and 11924 thereon respectfvely.

Respectfully,

Acting Chairman.

Choctaw 2802

Muskogee, Indian Territory, January 17, 1903.

Lysander Trahern,

Milton, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 26, 1902, stating that your son, Walter Trahern, is still living; that he is in the United States service in the Philippine Islands, at Manila, and this information has been made a matter of record with the Commission.

Respectfully,

Commissioner in Charge.

Choctaw D 696

Muskogee, Indian Territory, October 14, 1903.

Walter McFerran,

Walls, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 30, stating that you have been informed that your name was placed upon the rolls as an intermarried citizenship court claimant. You state that on December 18, 1901, you were married to Isabel Trahern a citizen of the Choctaw Nation, in accordance with the laws of the Choctaw Nation, having paid One hundred dollars for the license, and that you and your wife have been living together continuous, since that time, and you there request to be informed why your name should be enrolled as a court claimant.

In reply to your letter you are informed that it appears from our records that you are an applicant for enrollment as an intermarried citizen of the Choctaw Nation by virtue of your marriage to Isabel Trahern, whose enrollment as a citizen by blood of the Choctaw Nation, under the name of Isabelle McFerran, was approved by the Secretary of the Interior on January 17, 1903. Your application for enrollmenr as an intermarried citizen of the Choctaw Nation

has not yet been passed upon by the Commission but as soon as a decision is reached in your case you will be notified thereof.

Respectfully,

Chairman.

Choctaw 2802.

Muskogee, Indian Territory, April 8, 1904.

Walter Ingmorn,

San Fernando, Union Province,

Luzon, Philippine Islands,

Dear Sir:

Receipt is hereby acknowledged of your letter of February 14, stating that you are a Choctaw citizen by birth and making information relative to the payments of money due to the Choctaws. You also ask to be informed who would be a proper person to receive the money or as it will be sent to you direct. You also state that you have forwarded power of attorney to your father authorizing him to select allotment in your behalf.

In reply to your letter you are advised that the Commission has no jurisdiction over the payment of moneys which may become due citizens of the Choctaw Nation, and it is, therefore, impracticable to give you any information on this subject.

For your information there is inclosed you herewith copy of the act of congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902.

Respectfully,

Choctaw-Chickasaw agreement. Commissioner in Charge.

2803 Alfred W. Victor Choc

2803

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

TRUDY MAY VICTOR, 7-2803.

7-2803

Muskogee, Indian Territory, March 18, 1907.

Trudy May Victor,

Williams, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of March 9, 1907, inclosing affidavits of Trudy May Victor and Alfred W. McClure to the death of Alford W. Victor a citizen by blood of the Choctaw Nation which occurred July 1, 1904, and the same have been filed as evidence of the death of the above named citizen.

Your request for deeds will be made the subject of a separate communication.

Respectfully,

Commissioner.

Commission to the Five Civilized Tribes,

Spiro, Indian Territory.

In the enrollment of Alfred W. Victor as Choctaw by blood; Robert Ward being sworn and examined by Com'r McKennon testifies:

Q You know Penson Victor do you? A Yes sir

Q Is he living? A No, dead.

Q Was he a Choctaw citizen? A Yes sir

Q Did you know his wife Jane? A Yes sir she was a white woman.

Q Do you know anything of their marriage, personally?

A Personally no sir.

Q Did you know of their marriage by reputation? A Yes sir

Q You heard of the marriage? A Yes sir and I know that they lived together as man and wife.

Q Were they regarded by the people among whom they lived as husband and wife? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this [illegible] is a true and correct translation of my stenographic notes.

M D Green

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WISTER, I.T. Dec.16, 1902.

XXZX
7-2603

In the matter of the application of Trudy May Victor for enrollment as an inter married citizen ofthe Choctaw Nation.

Trudy May Victor being sworn testified as follows;

Examination by the Commission:

Q What is your name? A Trudy May Victor.
Q How old are you? A Thirty five.
Q What is your post office address? A Cameron, Indian Territory.
Q That's in the Choctaw Nation? A Yes sir.
Q How long have you been a resident of the Choctaw Nation? A About 8 or 9 years.
Q Have you lived here continuously for the past 9 years? A Yes sir.
Q Never made your home anywhere else during that time? A No sir.
Q Do you claim inter married rights in the Choctaw Nation? AYes sir
Q What is the name of your Choctaw husband through whom you claim thses rights? A Alfred Victor.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir.
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to him? A In 1894.
Q Where was this marriage ceremony performed? A Hacket City, Ark.
Q At that time were you living in Arkansas? AYes sir.
Q What was your husband's home? A In the Territory;I lived out about a year and a half a little over the line.
Q When did you come to the Territory? A In 1894.
Q Immediately after your marriage? A Yes sir.
Q Have you lived here ever since? A Yes sir.
Q Who performed the marriage ceremony? A Preacher Upton.
Q Were you married under the laws of the State of Arkansas? A yes sir.
Q Were you ever married before your marriage to Alfred Victor? A No sir.
Q Was he ever married before his marriage to you? ANo sir.
Q Since that marriage have you lived together continuously as husband and wife up to the present time? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.

Alfred Victor being called and sworn as a witness testified as follows:

Q What is your name? A Alfred Victor.
Q What is your age? A Thirty two.
Q What is your post office address? A Cameron.
Q Are you a citizen by blood of the Choctaw Nation? AYes sir.
Q What is the name of your wife? A Trudy May Bice.
Q When were you married to this woman? A In '94.
Q Where was this marriage ceremony performed.?. A Hacket City.
Q Were you ever marriedprevious to your marriage to her? A No sir.
Q Have you ever lived with another woman as your wife? A Yes sir.
Q When was that ? A In 1891.
Q What was the name of this other woman? A Benie Green.
Q Wasshe a white woman? A Yes sir.
Q How long did you live with her? A About one year.
Q Were you ever married to this woman? A No sir.
Q Where did you live together as husband and wife? A Sans Bo is Bottom.
Q Did you have any children by this woman? A One.
Q There never was a ceremony of marriage performed between you two? A No sir.
Q While you were living together did you hold her out to the world as your wife? A Yes sir.
Q What became of this Genie Green? A I don't know sir;I heard she was dead.
Q You separated from her at the end of this year? A Yes sir.
Q never seen her since? A No sir.

Examination by Simon E. Lewis:

Q What kin are you to Wat Williams? A Cousin.
Q Was Manda Victor your mother? A No sir.
Q You lived ther- with her, didn't you? A For a while.
Q During the time that Gilbert Thompson was judge of Skullyville County, didn't you marry a white woman and separate from her the next day? A Who was that?
Q There was a Frank Victor that married a woman named Collins;she left him the next day; I don't know which one left; it was one-
Q Was that Green woman the only woman you ever lived with except your wife? A Yes sir.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case on December 16, 1902, and that this is is a full, true and correct ranscript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 6 day of January, 1903.

Charles C. Sawyer

Notary Public.

Alford W. Victor
70 3 Lincoln
Mony, Ill.

Filed Nov. 6" 1894
C H Howe
Clk
By M. Reed
Dy

MARRIAGE LICENSE.

State of Arkansas. | Greenwood District. | County of Sebastian.

To any Person Authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Bans of Matrimony between Mr. Alford W. Vinton of the County of Sebastian and State of Arkansas aged 24 years; and Miss Mary Bird of the County of Sebastian and State of Arkansas aged 24 years; according to law. And do you officially sign and return this license to the parties herein named.

Witness my hand and official seal, this 3d day of Nov. 189 V

C. H. Howe
Clerk of the County Court.

By P. N. Reed D. C,

CERTIFICATE OF MARRIAGE.

STATE OF ARKANSAS, County of Sebastian } I, J. T. Wilson do hereby certify that on the 4th day of October A. D., 1894, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and Publish the Bans of Matrimony between the parties therein named.

My credentials are recorded in Sebastian County, Ark. J. T. Wilson

CERTIFICATE OF RECORD.

State of Arkansas, County of Sebastian, Greenwood District. } I, C. H. HOWE, Clerk of the County Court of said County, hereby certify that the above License for, and certificate of Marriage of Alford W. Vinton and Mary Bird were on the 6 day of Nov. 189 X. filed in my office, and the same are now duly recorded on page 206 of Book "C" of Marriage Records.

Witness my hand and the seal of said court, this 9 day of Nov. 189 X.

C. H. Howe
Clerk of the County Court.

By P. N. Reed D. C.

7-2303

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Trudy May Victor as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Trudy May Victor (nee Bice) on September 4, 1894, was lawfully married to Alfred W. Victor, a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as number 8218, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 17, 1903; that at the time of said marriage the said Trudy May Victor was a resident of the State of Arkansas, and the said Alfred W. Victor was a resident in good faith of Indian Territory, and that they have lived together continuously in the Choctaw Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Trudy May Victor should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,
JUL 20 1903

Choctaw 2803.

COPY.

Muskogee, Indian Territory, July 20, 1903.

Trudy May Victor,

Cameron, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time, no protest has been filed your name will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.
Commissioner in Charge.

Registered.

Enc. MFC 11/20

[illegible]

COPY.

[illegible]

[illegible]sfield, [illegible]rray & Cornish,

[illegible] Choctaw and Chickasaw Natiosn,

South [illegible]lester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission, rendered July 2[illegible], 1[illegible], granting the application of Trudy [illegible]ay [illegible]ictor for enrollment as a citizen by [illegible] of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED) T. B. Needles.
Commissioner in Charge.

Registered.

Enc MYC 12/20

IN RE

Application for Enrollment of

INFANT CHILD.

Ida E. Vicla

As a citizen of the

Choctaw Nation.

Approved [illegible] 1[illegible]

[illegible] Commissioner.

Choctaw 2803

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the ..... Nation,

of ....., born on the ..... day of ....., 1 .....

Name of father : ....., a citizen of the ..... Nation.

Name of mother : ....., a citizen of the ..... Nation.

Post Office : .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, I M Victor, on oath, state that I am 30 years of age and a citizen, by Marriage, of the Chactaw Nation ; that I am the lawful wife of Alfra W Victor who is a citizen, by Blood, of the Chactaw Nation ; that a girl child was born to me on the 22 day of Sept. 1897 ; that said child has been named Ida E Victor, and is now living.

I M Victor

Subscribed and sworn to before me this 17 day of June, 1898.

A P Wacker

Com. Expire 2-22-1901 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, J C Rudell, a Physician, on oath, state that I attended on Mrs. I M Victor, wife of Colonel W Victor on the 22 day of Sept., 1897 ; that there was born to her on said date a girl child ; that said child is now living and is said to have been named Ida E Victor.

Dr J C Rudell

Subscribed and sworn to before me this 17th day of June, 1898.

A P Wacker

Notary Public.

Com. Expire 2-22-1901

2804 miles S. Collins

Choc

2804

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by intermarriage of the Choctaw Nation of

GRACIE COLLINS, 7-2804.

7-2804.

Department of the Interior,
Commission to the Five Civilized Tribes.
Atoka, I. T., March 1 , 1903.

In the matter of the application of Gracie Collins for enrollment as a citizen by intermarriage of the Choctaw Nation.

Gracie Collins being duly sworn testifies as follows:

Examination by the Commission.

Q What is your name? A Gracie Collins.
Q How old are you? A Twenty-seven.
Q What is your post office address? A Spiro.
Q What Nation is that in? A Choctaw.
Q How long have you been a resident of the Choctaw Nation? A I have been here fifteen years.
Q Have you lived here continuously for the past fifteen years? A Yes sir.
Q Never have made your home elsewhere during that time? A No sir.
Q Are you a white woman? A Yes sir.
Q Do you claim the right to enrollment as an intermarried citizen of the Choctaw Nation? A Yes sir.
Q What is the name of your Choctaw husband through whom you claim these rights? A Miles S. Collins.
Q Is he a recognized and enrolled citizen of the Choctaw Nation? A Yes sir?
Q Have his rights as such ever been disputed? A No sir.
Q When were you married to this man? A I will be married ten years the 16th of August.
Q Where was this marriage ceremony performed? A At old Sculleyville.
Q In the Choctaw Nation? A Yes sir.
Q At that time were both you and your husband bona fide residents of the Choctaw Nation? A Yes sir.
Q Who performed the marriage ceremony? A I cant think of his name--
Q Was he a minister of the gospel? A Yes sir,-- Moore.
Q Were you married under a license? A No sir, by Choctaw certificate.
Q Were you ever married before your marriage to Miles S. Collins? A No sir.
Q Was he ever married before his marriage to you? A No sir.
Q Since your marriage have you lived together continuously as husband and wife? A Yes sir.
Q There has been no separation of any kind whatsoever? A No sir.
Q Are you at present living together as actual and bona fide residents of the Choctaw Nation? A Yes sir.
Q We have on file in your case a marriage certificate issued to M. S. Collins and Gracie Jones; are you and your husband the identical persons referred to in that marriage certificate? Yes sir.

W. H. Martin being duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings on the 10th day of March, 1903, and that the within and foregoing is a full, true, and correct transcript of his stenographic notes in the same.

W H Martin

Subscribed and sworn to before me this 30 day of March, 1903.

Charles McLaughlin
Notary Public.

7-2804.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Gracie Collins as a citizen by intermarriage of the Choctaw Nation.

---D E C I S I O N---

It appears from the record herein that Gracie Collins (nee Jones), was lawfully married on August 16, 1896, to W. S. Collins, Jr., a recognized and enrolled citizen by blood of the Choctaw Nation, whose name appears as Wiles S. Collins, number 4811, upon the lists prepared by this Commission under the act of Congress approved July 1, 1902 (32 Stat., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on January 13, 1903; that at the time of said marriage both persons above mentioned were residents in good faith of the Choctaw Nation, and that they have lived together continuously in said Nation as husband and wife from the date of said marriage up to and including September 25, 1902.

It is, therefore, the opinion of this Commission that Gracie Collins should be enrolled as a citizen by intermarriage of the Choctaw Nation, in accordance with the provisions of the acts of Congress approved June 28, 1898 (30 Stat., 495), and July 1, 1902 (32 Stat., 641), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

COMMISSIONER.

COMMISSIONER.

COMMISSIONER.

Muskogee, Indian Territory,

JUL 20 1903

Choctaw-2804

COPY.

Muskogee, Indian Territory, July 20, 1903.

Gracie Collins,

Box 661,

Fort Smith, Arkansas.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting your application for enrollment as a citizen by intermarriage ofthe Choctaw Nation.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of this decision and have been allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling you as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, your name will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED)

T. B. Needles.

Commissioner in Charge.

Registered.

Enc.No.1

COPY. Choctaw-2804

Muskogee, Indian Territory, July 20, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission, rendered July 20, 1903, granting the application of Gracie Collins, for enrollment as a citizen by intermarriage of the Choctaw Nation.

You are hereby advised that you will be allowed fifteen days from this date within which to file protest against the action of the Commission in enrolling the applicant herein as a citizen of the Choctaw Nation. If at the expiration of that time no protest has been filed, the name of the applicant will be placed upon the final rolls of the citizens of the Choctaw Nation, to be submitted to the Secretary of the Interior for his approval.

Respectfully,

(SIGNED).

Commissioner in Charge.

Registered.

Enc.NO.2

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Miles Parker Collins

as a citizen of

Choctaw Nation.

Approved, MAY 17 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 17 1901

ACTING CHAIRMAN.

CHOCTAW.

28011

BIRTH AFFIDAVIT

20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Miles Ricker Collins, born on the 2 day of March, 1901
(Here insert name of child)
Name of Father: Miles S. Collins Jr, a citizen of the Choctaw Nation.
Name of Mother: Grace Ann Collins, a citizen of the Choctaw Nation.
Post-office. Ft Gibson Smithson

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Central District. }

I, Grace Ann Collins, on oath state that I am 23
years of age and a citizen, by Marriage, of the Choctaw Nation;
that I am the lawful wife of Miles S. Collins Jr, who is a citizen, by
blood, of the Choctaw Nation, that a Male (male or female) child was
born to me on the 2 day of March 1901; that said child has been
named Miles Ricker Collins, and is now living.

her
Grace Ann Collins
mark

WITNESSES TO MARK
(Must be Two Witnesses) H.A. Reynolds.
T.L. Hedgecock

Subscribed and sworn to before me this 11 *day of* May *1901.*

O.E. Field,
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Central District. }

I, T.L. Hedgecock, a Physician, on oath state that I
attended on Mrs. Grace Ann Collins, wife of Miles S. Collins Jr,
on the 2 day of March 1901; that there was born to her on
said date a Male (male or female) child; that said child is now living and is said to have been
named Miles Ricker Collins

T.L. Hedgecock,
Boaden I.T.

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 11 *day of* May *1901.*

O.E. Field,
NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD.

Mamie A Collins

As a citizen of the

Choctaw Nation.

Approved June 22 1899

Commissioner.

Card No 2804

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the ..... Nation,

of ....., born on the ..... day of ....., 1 ....

Name of father : ....., a citizen of the ..... Nation.

Name of mother : ....., a citizen of the ..... Nation.

Post Office : .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Gracie Collins, on oath, state that I am 23 years of age and a citizen, by intermarriage, of the Choctaw Nation ; that I am the lawful wife of Miles S Collins who is a citizen, by blood, of the Choctaw Nation ; that a Female child was born to me on the 9 day of May, 1898 ; that said child has been named Marvin A. Collins, and is now living.

Witness
W. E. Green

Grace her + mark Collins

Subscribed and sworn to before me this 19 day of June, 1899.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, T L Hedgecock, a Physician, on oath, state that I attended on Mrs. M S Collins, wife of M S Collins on the 9 day of May, 1898 ; that there was born to her on said date a Female child ; that said child is now living and is said to have been named Marvin A.

Dr. T. L. Hedgecock

Subscribed and sworn to before me this 15 day of June, 1899.

Wm E Green

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Mary A. Collins

As a citizen of the

Choctaw Nation.

Approved Dec 22 1899

Commissioner.

Card No 72804

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the ..... Nation,

of ....., born on the ..... day of ....., 1 ..... .

Name of father : ....., a citizen of the ..... Nation.

Name of mother : ....., a citizen of the ..... Nation.

Post Office : .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, Gracie Collins, on oath, state that I am 23 years of age and a citizen, by intermarriage, of the Choctaw Nation ; that I am the lawful wife of Miles S Collins who is a citizen, by blood, of the Choctaw Nation ; that a female child was born to me on the 14 day of December, 1896 ; that said child has been named Mary A Collins, and is now living.

Witness
W E Green

Gracie her mark Collins

Subscribed and sworn to before me this 19 day of June, 1899.

Wm E Green
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, T L Hedgecock, a Physician, on oath, state that I attended on Mrs. M S Collins, wife of M S Collins on the 14 day of December, 1896 ; that there was born to her on said date a female child ; that said child is now living and is said to have been named Mary A.

Dr. T. L. Hedgecock

Subscribed and sworn to before me this 15 day of June, 1899.

Wm E Green
Notary Public.

October 9th A.D. 1896
E. H. Anderson
[illegible] Clerk

I [illegible] certify that I have this day joined M. S. [illegible] Jr. and Gracie Jones in the holy Bond of matrimony [illegible] AC Cordin to the laws of the Choctaw Nation this 16th of aug. 1893

J. H. Wilfd
County
Judge of
Skully Vill. CO. C.N.

I do certify that the [illegible] a true and correct copy of the original filed [illegible] office [illegible]

Choctaw 2804

Muskogee, Indian Territory, November 4, 1902.

M. S. Collins, Sr.

Fort Smith, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be advised the status of your application for enrollment .

In reply to your letter you are advised that it appears from our records that Miles S., Gracie, Stella, Mary A., Mamie A. and Miles Ricker Collins, are listed for enrollment as citizens of the Choctaw Nation.

You are further advised that on September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement closing the rolls of the citizens of the Choctaw and Chickasaw Nations on that date.

The rolls as now being made by this Commission of the citizens of these two tribes will be as of September 25, 1902 and it is necessary that the Commission ascertain the status of all applicants for enrollment as intermarried citizens on the date of the final ratification of such agreement.

It will therefore, be necessary that your wife, Gracie

M S C Sr. 2

Collins, personally present herself before the Commission at one of the appointments specified in the circular enclosed you herewith, in order that her status as an intermarried citizen of the Choctaw Nation on September 25, 1902, may be determined.

Respectfully,

Acting Chairman.

Enc. circular

Muskogee, Indian Territory, May 17, 1901.

Mr. Miles S. Collins, Jr.,

Ft. Smith, Arkansas.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Miles Ricker Collins, the infant son of Miles S. Collins, Jr. and his wife, Grace Ann Collins, born March 8, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-2604.

Choctaw-2804

Muskogee, Indian Territory, February 27, 1903.

Gracie Collins,

P.O.Box 661,

Fort Smith, Arkansas.

Dear Madam:

It is the present intention of the Commission to establish land offices in the Choctaw and Chickasaw Nations April 1, 1903. The Act of Congress approved July 1, 1902, provides:

> "No person whose name does not appear upon the rolls as herein provided shall be entitled in any manner to participate in the distribution of the common property of the Choctaw and Chickasaw tribes."

It will be necessary, before your right to enrollment as an intermarried citizen of the Choctaw Nation can be determined, that you appear before the Commission and testify as to your status on September 25, 1902.

For this purpose the Commission has made an appointment at Atoka, Indian Territory, March 10 to 13, 1903, and you should personally appear at said place on one of the above dates for the purpose herein indicated. No further action can be taken relative to the determination of your right to enrollment until this testimony is received.

Respectfully,

Chairman.

7-2804

Muskogee, Indian Territory, March 19, 1906.

Apple & Franklin,

Attorneys at Law,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 15, 1906, asking that the post office address of Miles S. Rollins be changed from Fort Smith, Arkansas to Spiro, Indian Territory and this change of address has been made a matter of record.

Respectfully,

Acting Commissioner.

2805 Cora Smith Choc

2805

INDEXED

CHOCTAW 20

IN RE

Application for Enrollment of

INFANT CHILD,

Robert F. Smith

as a citizen of

Choctaw Nation.

Approved SEP 19 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 19 1902

ACTING CHAIRMAN.

2805

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Robert F. Smith (Here insert name of child.), born on the 3d day of Sept, 1902
Name of Father: F. J. Smith a citizen of the Choctaw Nation.
Name of Mother: Cora I. Smith a citizen of the Choctaw Nation.
Post-office Wister Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Central District.

I, Cora I Smith, on oath state that I am Twenty two years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of F. J. Smith, who is a citizen, by Maniage, of the Choctaw Nation; that a male (male or female.) child was born to me on 3d day of Sept 1902; that said child has been named R. F. Smith, and is now living.

Cora I Smith

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 15th *day of* September 1902.

J. N. Bowman
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, A. P. Thompson, a physician, on oath state that I attended on Mrs. Cora I Smith, wife of F. J. Smith on the 3d day of Sept. 1902; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named R. F. Smith

A. P. Thompson M D

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 15th *day of* September 1902.

J. N. Bowman
NOTARY PUBLIC

My Commission Expires March 8th 1904

IN RE

Application for Enrollment of

INFANT CHILD.

Ouie Smith

As a citizen of the

Choctaw Nation.

Approved June 16 1899

Commissioner.

7-2-809

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Onie Smith, born on the 15 day of December, 1898.

Name of father: Zach T. Smith, a citizen of the U. S. Nation.

Name of mother: Cora Smith, a citizen of the Choctaw Nation.

Post Office: Oak Lodge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Cora Smith, on oath, state that I am 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Zach T. Smith who is a citizen, by ~~intermarriage~~ of the U. S. Nation; that a female child was born to me on the 15 day of December, 1898; that said child has been named Onie Smith, and is now living.

Cora Smith

Both children present
Witness F. W. Sobdell

Subscribed and sworn to before me this 16th day of June, 1899

A. S. McKennon
[redacted]
Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, , a , on oath, state that I attended on Mrs. , wife of on the day of , 1 ; that there was born to her on said date a child; that said child is now living and is said to have been named .

Subscribed and sworn to before me this day of , 1 .

Notary Public.

IN RE

Application for Enrollment of

INFANT CHILD.

Mary F. Smith

As a citizen of the

Choctaw Nation.

Approved June 6 1899

Commissioner.

Dec 8227

7-2805

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Mary F. Smith, born on the 25 day of August, 1897

Name of father: Zach T. Smith, a citizen of the U. S Nation.

Name of mother: Ora Smith, a citizen of the Choctaw Nation.

Post Office: Oak Ledge I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, Ora Smith, on oath, state that I am 18 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Zach T. Smith who is a citizen, by ~~intermarriage~~, of the ~~Choctaw~~ U.S. Nation; that a female child was born to me on the 25th day of August, 1897; that said child has been named Mary F. Smith, and is now living.

Ora Smith

X Both Children present X
Witness F. W. Riddle

Subscribed and sworn to before me this 16th day of June, 1899

A. S. McKennon

~~Notary Public~~ Commissioner

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, ... , a ..... , on oath, state that I attended on Mrs. ..... , wife of ..... on the ..... day of ..... , 1 ..... ; that there was born to her on said date a ..... child; that said child is now living and is said to have been named .....

Subscribed and sworn to before me this ..... day of ..... , 1 .....

Notary Public.

7-2805.

Muskogee, Indian Territory, September 19, 1905.

Z.T. Smith,

Spiro, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert F. Smith, infant son of Z.T. and Cora I. Smith, born September 3, 1903; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

END
OF
ROLL